



Denbighshire  
County Council

# Policy and Guidelines Safeguarding Children & Adults

Draft  
September 2013  
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## 1. INTRODUCTION

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

1.2. As a Council, we believe that every child and adult has a right to be safe from harm. The Council acknowledges its role and responsibilities to provide definite guidance for staff, Councillors, partners and those people whom we serve in this key field.

1.3. "Safeguarding" is everybody's business in every Service within the Council. Whilst Social Services is the Lead Service for dealing with enquiries regarding allegations / concerns that children and adults may be suffering significant harm, everyone has a responsibility to safeguard the welfare of children, young people and adults, whatever the role of the individual.

1.4. "Safeguarding" is a wider concept than the protection of children and adults and deals with the promoting of:

- physical, emotional and mental health;
- protection from harm and neglect;
- education, training and leisure;
- contribution to society;
- social and economic well-being.

1.6. Although every organisation working with children, young people and adults should be committed to safeguarding and promoting their welfare, a number of organisations have statutory roles or duties:

- under Section 28 of the Children Act 2004, Denbighshire Council has a duty to ensure that it undertakes its functions in a way that safeguards and promotes the welfare of children;
- under Section 17 of the Crime and Disorder Act 1998, it is Denbighshire Council's duty to ensure that every reasonable step is taken to protect adults and prevent crime and disorder when it undertakes its functions.

Welsh Government also proposes to strengthen duties relating to adult protection in the forthcoming Social Services and Wellbeing (Wales) Bill.

## 2. PURPOSE OF THIS DOCUMENT

The purpose of this document is to introduce the Council's "Policy and Guidelines for Safeguarding Children and Adults".

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This document will be submitted to the Denbighshire Council Cabinet on 24<sup>th</sup> September, 2013 and to full Council on 8<sup>th</sup> October, 2013. Every member of staff of the Council and every Councillor will then receive a copy of this document.

## 2.1. Objectives and Principles of the Policy and Guidelines

### 2.1.1 The following are the objectives of the Safeguarding Policy and Guidelines:

- to highlight how Denbighshire Council undertakes its legal commitments in the field of safeguarding children and adults;
- to give assurance to members of the public, service users, councillors, employees and people working on behalf of the Council that there are clear arrangements in place to safeguard and protect children and adults;
- that Council staff and councillors have clear guidelines for when a child or adult may be at risk of harm.

### 2.1.2 As a Council we believe that it is always unacceptable for a child or an adult to be abused or harmed in any way. This is reflected in the following principles which form the basis of the Policy and Guidelines:

- Every child and adult (whatever their background, culture, age, disability, gender, ethnicity, religious belief) has a right to participate in a safe society without any violence, fear, abuse, bullying and discrimination;  
Every child and adult has the right to be protected from harm, exploitation and abuse;
- we as a Council will put the welfare of children and adults centrally in our policies and procedures;
- As a Council we will work closely in partnership with children, their parents, carers and adults and other agencies to safeguard and promote the welfare of children and adults;
- Respect the rights, wishes, feelings and privacy of children and adults by listening to them and minimising any risks that may affect them;
- Invest in preventative work and early intervention and try to avoid situations where abuse or allegations of abuse or harm may occur.

## 2.2. Outcomes

### 2.2.1 This Policy and Guidelines reflect the Council's commitment to safeguard children and adults and to protect them from being abused when they receive services arranged and provided by or on behalf of the Council.

### 2.2.2 When the Guidelines are introduced, we will measure the impact regularly in order to achieve the following high level outcomes:

- a clear understanding amongst staff, councillors and those working on behalf of the Council of the policies and guidelines for safeguarding children and adults;
- robust corporate and departmental procedures in place to ensure compliance with the Policies and Guidelines introduced here;
- clear and accessible communication arrangements in place across the organisation, including information about the key officers in each Service who are responsible for children and adult safeguarding issues;
- consistency between these guidelines and the procedures which are operational on an all- Wales basis and associated protocols for safeguarding children and adults ;

- that staff and councillors receive information and training regarding the guidelines and that this is a continuous and permanent arrangement within the organisation.

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### 3. RESPONSIBILITIES AND DUTIES

- 3.1. Every Councillor, every member of staff, every volunteer and every contracted service provider has a responsibility to adhere to the procedures and guidance set out in this policy.
- 3.2. By following the correct procedures and guidance, it is possible to ensure that the appropriate steps are implemented to deal with any allegation or concern, services are planned and delivered in a way which safeguards children and adults and staff are able to conduct themselves safely.
- 3.3. Every member of staff, councillor, volunteer and service provider has a responsibility in the field of safeguarding. It is very important to highlight this.
- 3.4. This means that every Service within the Council has a key role to play and has to take full ownership of the safeguarding field. It follows that there is a need to ensure that there are clear arrangements and procedures in place within each Service in the Council to ensure that investigations into allegations / concerns that children and adults may be suffering substantial harm receive due consideration. In addition, every service needs to understand where safeguarding issues are most likely to arise in their particular service and ensure they have appropriate policies, procedures and guidance in place to manage these well.
- 3.5. This document draws together the corporate policies and guidelines in the field of safeguarding children and adults and it will operate as a framework for the procedures of every Service in the Council.

### 4. FUNCTIONS OF KEY OFFICERS AND MEMBERS

The Chief Executive has the general responsibility for ensuring that there is an effective safeguarding policy and procedures for children and adults in place and that they are implemented.

He is also responsible for the development of effective corporate governance and satisfying all the statutory requirements. However, there are some Key Officers who are worth highlighting because of their responsibilities in the safeguarding field:

#### 4.1. Statutory Director (Social Services) Current postholder: Sally Ellis

4.1.1 The Statutory Director (Social Services) has the final and indivisible responsibility for safeguarding issues. She is responsible for ensuring that the Council has appropriate safeguarding measures to protect children and young people, adults and vulnerable older people and she is responsible for reporting at a corporate level to councillors on their effectiveness.

4.1.2 The Director is responsible for the following:

- supervising the process of implementing, monitoring and improving the safeguarding and protection procedures for children and adults;
- ensuring that there are robust reporting arrangements and processes for

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safeguarding children and adults and to report at corporate level and to Members;

- ensuring the effectiveness of the Local Safeguarding Children Board;
- ensuring that lessons are learned as a result of serious case reviews and that they are applied as necessary by every agency, acknowledging that the effectiveness of arrangements are dependent on the quality of the contribution of every agency;
- raising the profile, supporting the policy and ensuring that the Council complies fully with the Policy and Guidelines for Safeguarding Children and Adults;
- ensuring that every member of staff of Social Services understands and implements high standards in terms of identifying risks and safeguarding practices;
- promoting more awareness amongst the public of issues relating to safeguarding children and adults and ensuring social work practices evolve in light of appropriate research;
- raising standards in social work practice by means of professional supervision, training and other opportunities to learn and reflect so that staff working in the safeguarding field are supported appropriately;
- submitting observations, in her statutory role, on Cabinet reports dealing with the safeguarding field.

4.1.3 Whilst every member of staff has a responsibility to safeguard and promote the welfare of children and adults, the Statutory Director is the Senior Officer in the Council with the final and indivisible accountability for this.

4.2. Lead Director for Children and Young People  
Current Post Holder: Hywyn Williams

4.2.1 The Children Act (2004) places a responsibility on every local authority in Wales to appoint a lead director for children and young people services and to appoint a specified lead member for children and young people services. The role of the Lead Director in Wales does not change the arrangements of an executive authority or change accountability for services. The Lead Director for Children and Young People's Services in Wales has three main roles:

- Firstly, the Lead Director will be responsible for promoting partnership when planning for children and young people corporately across the departments of the local authority and across the authority and its partners;
- Secondly, the Lead Director will offer the required leadership to ensure that a high profile is given within the local authority to planning in partnership thereby promoting strategic change for children and young people in the field;
- Thirdly, the Lead Director is responsible for ensuring that the local authority implements the United Nations' Convention on the Rights of the Child.

4.2.2 This responsibility is in addition to, but independent of any executive responsibility the Lead Director has for a specific service or a group of services that could be associated with any appropriate Director within the Corporate Executive Team.

4.3. Designated Managers within Every Service

4.3.1 Every Service within the Council will be required to nominate a "Designated Manager" for dealing with safeguarding children and adults issues.

4.3.2 The Designated Managers are responsible for:

- Acting as a key source of advice and support for other staff in the Service on all safeguarding issues;
- Being familiar with Denbighshire Council's Corporate Policy and Guidelines for Safeguarding Children and Adults along with the All Wales Child Protection Procedures and the Policy and Procedure for the Protection of Vulnerable Adults;
- ensuring that there are effective internal procedures to deal with concerns within the Service by working closely with Social Services to achieve this;
- representing the Service on the Council's Corporate Panel for Safeguarding Children and Adults;
- ensuring that the process of complying with this Policy and Guidelines is monitored by reporting regularly to the Corporate Safeguarding Panel;
- attending the relevant training for "Designated Managers".

4.3.3. Any member of staff with concerns regarding the behaviour of a colleague towards children or an adult should contact the Designated Manager within the Service immediately.

4.3.4 The Designated Managers for each Service are as follows:

Department	Contact
School Improvement	Wayne Wheatley
Customers and Education Support	Wayne Wheatley
Human Resources	tbc
Finance and Assets	tbc
Legal and Democratic Services	tbc
Housing and Regeneration	tbc
Communications, Marketing and Leisure	Roger Ellerton

Social Services (Adults)	Nerys Tompsett
Social Services (Children)	Sue Trehearn
Business Planning and Performance	tbc
Environment and Highways	tbc
Planning and Public Protection	tbc
Business Transformation and ICT	tbc

4.3.5 If allegations are made against a "Designated Manager", the individual should refer their concerns to the line manager of the Designated Manager.

#### 4.4. All Heads of Service

4.4.1 All Heads of Service – through their Management Teams – will be jointly responsible for ensuring that all the statutory requirements in terms of safeguarding and promoting the welfare of children and adults receive due consideration. This includes the quality, content and frequency of training provided and maintaining sufficient staff training records.

4.4.2 All Heads of Service must ensure that their staff are appropriately checked through the Disclosure and Barring Service procedures and that their staff conform to the Policy and Guidelines for Safeguarding Children and Adults. All Heads of Service must establish arrangements to ensure that they comply with the requirements of this policy and the Council's Criminal Records Policy. All Heads of Service must ensure that records are kept of every check that is made by the Disclosure and Barring Service.

4.4.3 All Heads of Service are expected to co-ordinate the process of preparing a Policy and Guidelines for Safeguarding Children and Adults in their Service. It is expected that this Policy is prepared in order to highlight the Service's arrangements for responding to issues that could arise in the safeguarding field. It will be a requirement for the Policy to fully comply with the Corporate Policy and Guidelines. Every Service Policy and Guidelines will be in place by the end of March 2014.

4.4.4 It will be a requirement for every Service in the Council to report on their Safeguarding Policies and Guidelines to the Corporate Panel for Safeguarding Children and Adults.

4.4.5 The Council's Senior Leadership Team meets on a fortnightly basis. At these meetings, any member can raise safeguarding issues.

4.5. Every Line Manager

4.5.1 Every Line Manager is responsible for ensuring that the staff for which they are responsible receive the training which they need, proportionate to their responsibilities. A refreshed Training Strategy will be prepared setting out which members of staff should receive safeguarding training and to what level. A priority will be the training of Designated Safeguarding Managers in each service.

4.6. Every Member of Staff and Volunteers (including school governors)

4.6.1 Every member of staff and volunteers are responsible for undertaking their duties in a manner which safeguards and promotes the welfare of children and adults. They must also act in a way which protects them against false allegations of abuse as far as possible and in accordance with this policy. They must bring issues of concern regarding the safety and welfare of children and adults to the attention of the Designated Manager in their Service.

4.7. Contractors, Sub-contractors or Other Organisations funded by or on behalf of Denbighshire Council

4.7.1 Contractors, sub-contractors or other organisations funded by or on behalf of the Council are responsible for arranging checks through the Disclosure and Barring Service and the Independent Safeguarding Authority and for ensuring that their staff comply with regulatory and contractual arrangements relating to safeguarding children and adults. Some organizations are also required to undertake an annual self assessment of safeguarding arrangements, and to report outcomes, as part of contract monitoring arrangements. It is expected that this will apply to more organizations over time. Contractors are also responsible for informing relevant managers of the Council about any concerns they may have and to refer protection issues.

4.8. Detailed Guidelines

4.8.1A copy of "Signs of Abuse" is attached at Appendix 1 and the "Code of Conduct and Safe Working Practices" at Appendix 2.

4.8.2. Also, in Appendix 3, a statement is attached of the Council's commitment to train staff (and Councillors) in the field of safeguarding. Appendix 4 cross refers to the Council's detailed guidelines in relation to "Safe Recruitment".

5. ROLE OF ELECTED MEMBERS

5.1. Elected Members will receive the following information in the field of safeguarding:

- The Lead Member for Social Care and Children's Services and the Lead Member for Education will be standing members of the Corporate Panel for Safeguarding Children and Adults. This Panel will receive information regarding the working practices and procedures of every Service in the Council, providing assurance that the Services are meeting their duties in accordance with the Corporate Safeguarding Policy and Guidelines. In addition, the Panel will receive information regarding the performance management arrangements of every Service, in order to show that they are discharging their duties in a manner which safeguards children



and adults.

Members of the Panel will have an important role in challenging information regarding the results of the performance management process across services from the perspective of safeguarding children and adults. It is also the duty of Members of this Panel to ensure that effective corporate policies and procedures are developed across the organisation.

- The Lead Member for Social Care and Children's Services and the Lead Member for Education, will report on the work of the Corporate Panel to all Cabinet Members on an annual basis. Every Cabinet Member will receive assurance from the Lead Member for Social Care and Children's Services and the Lead Member for Education, that a clear work programme is in place and that the Council's policies and procedures are robust in the safeguarding field. In addition, it must be reported that appropriate arrangements are in place to monitor the performance of every Service regarding reviewing and evaluating policies. In the Annual Report, there will also be an opportunity for both Lead Members serving on the Corporate Panel to highlight any obstacles or concerns they may have in terms of the response or performance of any Service in the Council.

Any lessons from Serious Case Reviews will also be identified to Cabinet as part of the Annual Report.

- Members of the Performance Scrutiny Committee will receive information regarding the work of the Corporate Safeguarding Panel through the Annual Report. This will provide an opportunity for Members to scrutinise and challenge Members of the Corporate Panel. Members of the Scrutiny Committee will receive information regarding the work programme of the Corporate Panel, the progress against this work programme and the main messages stemming from the performance management arrangements. The observations of the Scrutiny Committee will steer and influence the priorities of the Corporate Panel's work programme.
- It is a requirement that every Councillor attends training in the field of safeguarding children and adults. A register will be kept of those attending and this will be reported as part of the performance monitoring arrangements co-ordinated by the Corporate Panel. The training will raise awareness amongst Denbighshire Councillors of this Policy and Guidelines and increase their understanding of the safeguarding procedures which exist within the Council.

5.2. A copy of the "Good Practice Guidelines for Councillors - Safe Contact with Children and Vulnerable Adults" is in Appendix 5.

## 6. CLARITY REGARDING THE REFERRAL PROCESS

6.1. Any member of staff with concerns regarding the safety of an individual, or the behaviour of a colleague towards children or an adult should contact the Designated Manager within the Service immediately.

6.2 If a Councillor (or any member of the public) has concerns regarding the safety of an individual, then the First Contact Team (Social Services) should be contacted immediately on 01824 712 900 during office hours (8.30am to 5pm Monday to Thursday, 8.30 am to 4.30 pm Friday).

- 6.3. The Social Services Out-of-Hours Team should be contacted on 0845 053 3116 if the issue arises after 5.00pm, Monday to Friday and on weekends and Bank Holidays.
- 6.4. The Police must be contacted immediately if the child or adult is in danger.
- 6.5. If the Designated Manager is unavailable, then the matter must be referred to the First Contact Team (details as noted above). It is crucial not to delay.
- 6.6. A copy of the "Referral Procedure" is in Appendix 6. Also, a copy of the detailed guidelines in relation to "Dealing with Allegations of Professional Abuse" is in Appendix 7.

## 7. CORPORATE GOVERNANCE ARRANGEMENTS

### 7.1. Corporate Panel for Safeguarding Children and Adults

7.1.1 On a corporate level, the responsibility for undertaking an overview of the children and adults safeguarding arrangements has been delegated to the Corporate Panel for Safeguarding Children and Adults by Cabinet.

7.1.2 The main responsibilities of the Panel are to ensure that robust arrangements for safeguarding children and adults are in place within Denbighshire Council.

7.1.3 The Panel will act on a Strategic level in order to:

- assure relevant Lead Members that the Council's procedures are robust where matters of safeguarding children and adults are concerned;
- Bring together interdepartmental work in the safeguarding field and ensure effective corporate communication;
- Support the functions and duties of the Statutory Director within the Council;
- Resolve any possible barriers that could prevent having effective and successful procedures in place;
- Identify any gaps in corporate policies and guidelines and ensure they are addressed, working appropriately with the LSCB and the Adult Protection Committee
- Ensure that appropriate training is available for officers and members
- Receive and consider information about trends in relation to allegations of professional abuse, and adopt action plans to respond should the need arise;
- Receive and challenge information about corporate safeguarding performance and the progress against work programmes commissioned
- Consider and understand the implications of Serious Case Reviews and ensure that the Council responds effectively to recommendations within such reviews;
- Accept and challenge the Annual Report of the Statutory Director;
- Approve the Policy and Guidelines for Safeguarding of every Service in the Council and receive information about the performance management arrangements of every service in relation to their safeguarding responsibilities
- Produce an Annual Report for CET, Cabinet, and the appropriate Scrutiny Committee

7.1.4 The Panel has a key role to play in ensuring that every Service undertakes its duties in accordance with the Council's Safeguarding Policy and Guidelines. The Panel also ensures that every Service has a performance management system in place to show that they are undertaking their functions in a manner which safeguards

children and adults.

- 7.1.5 The Panel meets on a quarterly basis. The Membership of the Panel includes Designated Managers for the field of safeguarding children and adults in every Service within the Council. The Panel is a key method of ensuring that the Designated Managers collaborate and share information across the Council. They also deal with identifying any gaps in the Council's procedures in the safeguarding field along with submitting recommendations to the Corporate Panel regarding updating or amending the Council's Policy in this field. A copy of the Panel's terms of reference is in Appendix 8. The Panel is serviced by Children and Family Services.
- 7.1.6 Cabinet receives an annual report from this Panel. The Corporate Executive Team also receives the annual report, with more frequent reporting on an as required basis. This provides assurance to the Chief Executive that safeguarding is receiving its due attention within the Council.
- 7.1.7 The Panel complements the role of the Local Safeguarding Children Board and the Denbighshire Adult Protection Committee. These focus on ensuring that robust multi-agency arrangements are in place to safeguard children and vulnerable adults and that key partners have appropriate safeguarding systems in place. The role of the Denbighshire Corporate Panel for Safeguarding Children and Adults is to ensure effective oversight of safeguarding across the wide range of services which the Council provides and commissions. On their own, the current multi-agency arrangements for children and adults cannot provide sufficient depth of assurance to meet the needs of complex organisations, especially given increased public expectations and expectations from regulators.
- 7.3. Denbighshire Council's Performance Scrutiny Committee
  - 7.3.1 The Council's Performance Scrutiny Committee will have the role of scrutinising and challenging the work and performance of the Corporate Panel for Safeguarding Children and Adults on an annual basis. It is considered that this is crucial so that Committee Members gain experience and understanding in the field and become completely aware of the breadth and depth of the Panel's work and the corporate arrangements.
- 7.4. The Council's Corporate Plan 2012 - 2017
  - 7.4.1 The Council's Corporate Plan sets out the strategic direction for the Council's work over the next five years and identifies clear priorities and actions to respond to these priorities. An Annual Delivery Plan is also produced to enable monitoring on regular basis.
  - 7.4.2 One of the priorities within the Plan is that "Vulnerable People are protected and able to live as independently as possible." Regular progress reports are submitted to Cabinet and a set of high level indicators has also been agreed. These arrangements will complement reporting to the Corporate Panel for Safeguarding Children and Adults..

## 8. REPORTING, MONITORING AND REVIEWING

- 8.1. The Corporate Panel for Safeguarding Children and Adults' Annual Report will draw attention to the Council's performance in complying with the Corporate Policy and Guidelines. The Annual Report will be submitted to the Corporate Executive Team, the Cabinet and to the Performance Scrutiny Committee. In addition, on behalf of the Council as a whole, the

Safeguarding Panel will report to the Conwy and Denbighshire Local Safeguarding Children Board as part of requirements under s28 of the Children Act 2004.

- 8.2. It is proposed to submit the Annual Report every June. Specific attention will be given initially to the following Performance Indicators. It is anticipated that this dataset will evolve over time to better capture the breadth of safeguarding activity:

# POVA referrals completed in the period
# child protection referrals in the period
% of staff commencing in post with two references and a DBS check
% of staff receiving safeguarding training as they receive induction
% of Child referrals during the year where a decision is made within one working day (SCC/006)
% of initial assessments completed during the year with evidence that a Social Worker has seen the child (SCC/011a)
% of child protection reviews held within the statutory timetable during the year (SCC/034)
% of initial assessments completed within 7 working days (SCC/042a)
% of adult clients with a care plan on 31 March whose care plans should have been reviewed that were reviewed during the year (SCA/007)
% of Councillors attending safeguarding training
% of adult protection referrals completed during the year, the percentage where the risk has been managed (SCA/019)
% of referrals re-referred within 12 months

- 8.3. The Corporate Panel for Safeguarding Children and Adults will receive a quarterly report noting the performance of indicators in the safeguarding field and work programme progress. The Local Safeguarding Children Board already receives core data on a regular basis. Any concerns regarding underperformance/slippage will require a clear action plan to respond to the concerns. Safeguarding will also be a potential "line of enquiry" in service challenges.
- 8.4. This Safeguarding Policy will be reviewed annually or if any amendments occur in legislation or in consideration of changes in working practices which may stem from incidents or allegations.
- 8.5. Further details are included in Appendix 9 regarding the method the Council will use to measure impact and monitor effectiveness.

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## Appendices

- Appendix 1 – Signs of Abuse
- Appendix 2 – Code of Conduct and Safe Working Practices
- Appendix 3 – Safeguarding Training
- Appendix 4 – Safe Recruitment
- Appendix 5 – Good Practice Guidelines for Councillors: Safe Contact with Children and Vulnerable Adults
- Appendix 6 – The Referral Process
- Appendix 7 – Dealing with Allegations of Professional Abuse
- Appendix 8 – Corporate Panel for Safeguarding Children and Adults Terms of Reference
- Appendix 9 – Measuring Impact and Monitoring



APPENDIX 1  
Signs of Abuse

## Signs of Abuse

This policy relates to both children and adults. They both have their individual codes of practice and relevant staff need to be familiar with these documents.

### **Children in Need**

Abuse and neglect are forms of maltreatment of a child. Somebody may abuse or neglect a child either directly by inflicting harm, or indirectly, by failing to act to prevent harm. Children may be abused in a family or in an institutional or community setting; by those known to them; or, more rarely, by a stranger. They may be abused by an adult or adults, or another child or children.

There are four types of child abuse. They are defined in the All Wales Child Protection Procedures and Welsh Government guidance *Safeguarding Children: Working Together Under the Children Act 2004* as follows:

### **Physical abuse**

Physical abuse may involve hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating, or otherwise causing physical harm to a child. Physical harm may also be caused when a parent or carer fabricates the symptoms of, or deliberately induces, illness in a child.

### **The physical signs of abuse may include:**

- unexplained bruising, marks or injuries on any part of the body
- multiple bruises- in clusters, often on the upper arm, outside of the thigh
- cigarette burns
- human bite marks
- broken bones
- scalds, with upward splash marks
- multiple burns with a clearly demarcated edge.

N.B. Most children will collect cuts and bruises as part of the rough-and-tumble of daily life. Injuries should always be interpreted in light of the child's medical and social history, developmental stage and the explanation given. Most accidental bruises are seen over bony parts of the body, e.g. elbows, knees, shins, and are often on the front of the body. Important indicators of physical abuse are bruises or injuries that are either unexplained or inconsistent with the explanation given, or visible on the 'soft' parts of the body where accidental injuries are unlikely, e.g. cheeks, abdomen, back and buttocks.

### **Changes in behaviour that can also indicate physical abuse:**

- fear of parents being approached for an explanation
- aggressive behaviour or severe temper outbursts
- flinching when approached or touched
- reluctance to get changed, for example in hot weather
- depression or withdrawn behaviour
- running away from home.

### **Emotional Abuse**

Emotional abuse is the persistent emotional maltreatment of a child such as to cause severe and persistent adverse effects on the child's emotional development. It may involve conveying to children that they are worthless or unloved, inadequate, or valued only insofar as they meet the needs of another person. It may feature age or developmentally inappropriate expectations being imposed on children. It may involve causing children frequently to feel frightened or in danger, or the exploitation or corruption of children. Some level of emotional abuse is involved in all types of maltreatment of a child, though it may occur alone.

### **Changes in behaviour which can indicate emotional abuse include:**

- neurotic behaviour e.g. sulking, hair twisting, rocking
- being unable to play
- fear of making mistakes
- sudden speech disorders
- self-harm
- fear of parent being approached regarding their behaviour
- developmental delay in terms of emotional progress

### **Sexual Abuse**

Sexual abuse involves forcing or enticing a child or young person to take part in sexual activities, not necessarily involving a high level of violence, whether or not the child is aware of what is happening. The activities may involve physical contact, including assault by penetration (for example, rape or oral sex) or non-penetrative acts such as masturbation, kissing, rubbing and touching outside of clothing. They may also include non-contact activities, such as involving children in looking at, or in the production of, sexual images, watching sexual activities, encouraging children to behave in sexually inappropriate ways, or grooming a child in preparation for abuse (including via the internet).

### **The physical signs of sexual abuse may include:**

- pain or itching in the genital area
- bruising or bleeding near genital area
- sexually transmitted disease
- vaginal discharge or infection
- stomach pains

- discomfort when walking or sitting down
- Pregnancy

**Changes in behaviour which can also indicate sexual abuse include:**

- sudden or unexplained changes in behaviour e.g. becoming aggressive or withdrawn
- fear of being left with a specific person or group of people
- having nightmares
- running away from home
- sexual knowledge which is beyond their age, or developmental level
- sexual drawings or language
- bedwetting
- eating problems such as overeating or anorexia
- self-harm or mutilation, sometimes leading to suicide attempts
- saying they have secrets they cannot tell anyone about
- substance or drug abuse
- suddenly having unexplained sources of money
- not allowed to have friends (particularly in adolescence)
- acting in a sexually explicit way towards adults

**Neglect**

Neglect is the persistent failure to meet a child's basic physical and/or psychological needs, likely to result in the serious impairment of the child's health or development. It may involve a parent or carer failing to provide adequate food, shelter and clothing, failing to protect a child from physical harm or danger, or the failure to ensure access to appropriate medical care or treatment. It may also include neglect of, or unresponsiveness to, a child's basic emotional needs.

**The physical signs of neglect may include:**

- constant hunger, sometimes stealing food from other children
- constantly dirty or 'smelly'
- loss of weight, or being constantly underweight
- inappropriate clothing for the conditions.

**Changes in behaviour which can also indicate neglect may include:**

- complaining of being tired all the time
- not requesting medical assistance and/or failing to attend appointments
- having few friends
- mentioning being left alone or unsupervised

These definitions and indicators are not meant to be definitive, but only serve as a guide to assist you. It is important too, to remember that many children may exhibit some of these indicators at some time, and that



the presence of one or more should not be taken as proof that abuse is occurring. There may well be other reasons for changes in behaviour such as a death or the birth of a new baby in the family or relationship problems between parents/carers. In assessing whether indicators are related to abuse or not, Social Services will always want to understand them in relation to the child's development and context.

## **Adults in Need of Protection**

### **Categories of Abuse**

There are many ways in which a vulnerable person may be abused. It is not unusual for an abused adult to suffer more than one kind of abuse. Accordingly, the impact of abuse and its seriousness for the individual must be evaluated in every case.

*In safe Hands* identifies five main categories of abuse:

- Physical
- Sexual
- Financial
- Emotional or Physiological
- Neglect

### **Physical Abuse**

Physical abuse is the unnecessary infliction of any physical pain, suffering or injury by a person who has responsibility, charge, care or custody of, or who stands in a position of or expectation of trust to, a vulnerable person. Physical abuse may also be perpetrated by one vulnerable adult upon another.

### **Sexual Abuse**

Adult sexual abuse refers to the direct or indirect involvement of a vulnerable adult in sexual activity to which they are unwilling or unable to give informed consent, or which they do not fully comprehend, or which violates the social taboos of family roles, such as incest. Sexual abuse may also be perpetrated by one vulnerable adult upon another.

Any sexual activity that is not freely consenting is criminal. Where there is an abuse of trust, sexual activity may appear to be with consent, but is unacceptable because of the differences in power and influence between the people involved.

Sexual abuse includes the involvement in prostitution or 'sex trafficking' of vulnerable adults who do not have the capacity to consent.

### **Emotional or Psychological Abuse**

Emotional or psychological abuse is the infliction of mental suffering by a person in a position or expectation of trust upon a vulnerable person. Emotional / psychological abuse may also be perpetrated by one vulnerable adult upon another.

Emotional and psychological abuse includes bullying, which is typically deliberate, hurtful behavior repeated

over time, which can include physical abuse but often is verbal (name-calling and threats). It can undermine self-confidence, may cause the victim to become more isolated and sometimes leads to self-harm.

Emotional and psychological abuse, including **bullying and harassment**, can be very subtle, for example taking the form of ignoring or excluding the victim. Such abuse may be direct, such as by not responding to the person, or indirect, such as by giving unfair preference to another person. Emotional and psychological abuse may be cumulative, possibly building up over months or even years. It may involve one or more person and may be part of the culture within any institution, organization or service.

Another example of psychological abuse is when a vulnerable adult is incited, induced or exploited to commit a crime or abuse. Examples of this include inciting to steal, to perform acts of violence and commit sexual crimes. There have also been examples of vulnerable adults being exploited to commit acts of radical extremism.

In determining whether emotional and psychological abuse has taken place, it is the impact on the vulnerable adult that counts. Individual actions may not seem significant and may even be a one-off, but if they are part of a wider pattern of abuse experienced by the vulnerable adult the impact on them may be significant. Therefore, the wider context in which action is experienced by the vulnerable adult must always be considered in determining whether or not abuse has occurred.

### **Financial or Material Abuse**

Financial or material abuse is any theft or misuse of a person's money, property or resources by a person in a position of, or expectation of, trust to a vulnerable person. Common forms of financial abuse are misuse by others of a vulnerable adult's state benefits or undue pressure to change wills. Financial / material abuse may also be perpetrated by one vulnerable adult upon another.

### **Neglect**

Neglect is the failure of any person for whom there is an expectation of trust and /or the responsibility, charge, care or custody of a vulnerable person to provide that degree of care which a reasonable person in a like position would provide.

Neglect may be criminal or non-criminal. It may also be as a result of intentional or non-intentional acts or omissions.



APPENDIX 2  
Code of Conduct and Safe Working Practices

## CODE OF CONDUCT AND SAFE WORKING PRACTICES

1. This code of conduct is a statement and is a description of the professional standards of practice that are required from all Council staff when undertaking their day-to-day duties.
2. The code of conduct reflects current practice and it is expected that employees can identify the following standards as those which they aim to emulate daily.
3. It is anticipated that this code of conduct provides a better understanding for members of the public using Council services of what is expected of the Council's staff and the manner in which the employer supports its staff to undertake work effectively and in a manner respectful of the needs of individuals.
4. Every member of staff should give a good example in terms of behaviour to ensure that children and adults are protected and safeguarded. The following guidelines provide details of examples of good practice which must be used, along with specific codes of conduct (e.g. Denbighshire Council's codes of conduct), which could be relevant to roles, activities or specific events.
  - You should always be open for the public to scrutinise you when working with children and adults and you should avoid situations where a Councillor, member of staff, volunteer or service provider is with a child or children or vulnerable adult alone without anyone else to observe him or her;
  - You should follow the required process for reporting incidents, e.g. an incident of health and safety importance;
  - Children and adults have a right to privacy, equality, respect and dignity and a safe and positive environment;
  - Councillors, staff, volunteers and contracted service providers must give priority to the welfare and safety of the child or adult before concerns for performance;
  - If a child or adult arrives at an activity or service exhibiting signs or symptoms which cause you concern, you must act appropriately and follow the procedures outlined in the policy;
  - Be aware of the need to ensure safe practices when meeting children and adults.

### YOU SHOULD

- Work in accordance with this safeguarding policy. If in doubt, contact the Designated Safeguarding Manager in your Department;
- Work in an open environment (e.g. you should avoid private situations or those which cannot be observed and encourage an open environment, i.e. no secrets);
- Treat every child and adult fairly with respect and dignity;
- Put the welfare of each child and adult first;
- Ensure a safe and appropriate distance with participants (e.g. it is not appropriate to have a close relationship with a child or an adult);
- Create an equal relationship based on trust which empowers children and adults to share in the decision making process;
- Get the most current information about training and safeguarding issues;
- Be an excellent example – this includes not smoking, drinking alcohol or swearing in the company of children and adults;

- Make sure that photographic or filming equipment is used appropriately and a parent or carer of the participants has given their permission;
- Keep a record in writing of any injury which is sustained, along with any treatment administered in accordance with Council policy;

### **YOU SHOULD NOT**

- Touch or allow inappropriate touching in any way, use force or inappropriate language or make suggestive sexual comments;
  - Make a child cry as a means of controlling him / her, or use any behaviour control techniques not authorised by the Council's policy and procedures;
  - Ignore allegations made by a child or adult. All allegations or disclosures of abuse by a child or vulnerable adult should be reported immediately to Social Services or the Police.
  - Undertake tasks of a personal nature for children or adults which they could do for themselves;
  - Invite or permit children or an adult to come to your home where they will be alone with you;
  - Enter areas that have been specifically set-aside for the other sex;
  - Use the internet, an electronic device or a phone to access child pornography sites;
5. An employee who breaches any condition of the above code of conduct will face an investigation and could face disciplinary steps which could lead to dismissal and the possibility of a criminal investigation if there is evidence of illegal activity.
6. Volunteer services that breach the code of conduct will be suspended immediately. If there is evidence of illegal activity, the name of the volunteer will be drawn to the attention of the relevant authorities and he /she could face a criminal investigation.



APPENDIX 3  
Training on Safeguarding

## TRAINING ON SAFEGUARDING

### 1. STATEMENT OF COMMITMENT

- 1.1. Denbighshire Council is committed to ensuring that all staff who work with children, young people and adults undertake appropriate General Safeguarding awareness training.
- 1.2. Every member of staff who works with children, young people and adults should have information on safeguarding issues, in order to ensure that our workforce:
  - is aware of the principles of safeguarding;
  - can identify the need to refer;
  - knows how to deal with individual cases.
- 1.3. Priority is given in the Staff, including Designated Managers, and Councillors training programmes to develop an understanding of the Council's Policy and Guidelines for Safeguarding Children and Adults.

### 2. CONTENT OF THE TRAINING

- 2.1. Every member of staff working with children, young people and adults should have information on safeguarding issues. The training will make workers aware of the distinction between safeguarding and child/adult protection. It will also make workers aware of the definition of the types of abuse of children, young people and adults, the main signs and indicators, staff implications and their personal responsibility to safeguard children and adults, and the procedures to follow should any worker have any concerns.
- 2.2. There will be a need to refer to:
  - The All Wales Child Protection Guidelines;
  - The Wales Interim Policy & Procedures for the Protection of Vulnerable Adults from Abuse (November 2010) [commissioned by the four Adult Protection Fora]
  - Older People's Commissioner for Wales 'Protection of Older People in Wales: A Guide to the Law' (John Williams, April 2011)
  - The function of the Conwy & Denbighshire Local Safeguarding Children Board.

### 3. LEARNING OBJECTIVES

*By receiving the training, attendees will be able to:*

- Challenge myths and stereotypes associated with child and adult abuse and the process of safeguarding children and adults;
- Ensure that the child's and adult's voices and rights are the principal consideration.

*Attendees will also:*

#### **Legislation, policies and procedures:**

- Be aware of the legislation and the local and national policies which relate to safeguarding;

- Understand local and institutional policies and procedures which relate to safeguarding individuals who receive care, and how these are to be implemented in their work.

**Understand and identify different types of abuse:**

- Be able to note the main categories for abuse and neglect, and be able to identify the usual signs and symptoms associated with these;
- Understand that individuals have the right to be safeguarded from abuse and neglect;
- Understand that they need to ensure that their own actions or behaviour do not have a harmful effect on the individual in their care;

**Understand how to respond to suspicions of abuse or neglect:**

- Understand that they must report at once any suspicions of abuse or neglect, and know how and when they should inform the appropriate individual of these;
- Know how important it is to continue to voice concerns if they are not addressed after they have been reported, and how to do this;
  - Understand the limitations of confidentiality and when to share information.

**4. PROVIDING THE TRAINING**

4.1. (It is suggested that :-) The Care Council for Wales approved All Wales Safeguarding Awareness Training (known formerly as Adult & Child Protection Awareness Training) will be provided:

- As part of the Induction programme - as a minimum staff will be made aware of their responsibilities in respect of safeguarding at Corporate, Service and Team level Induction. (There will be potential for access to e-learning through the Learning Hub on the Intranet if DCC renew the license).
- Staff who have direct / indirect contact with children or adults who have not received the Adult & Child Protection Awareness training will need to undertake the All Wales Safeguarding Awareness Training;
- Staff will need to undertake Safeguarding refresher training on the appropriate level every three years *[note that some staff will require this training at more frequent intervals than three years]*.

**Note:** It is intended in the future to include all remaining staff i.e. those who do not have direct / indirect contact with adults or children in the awareness training. Currently the Corporate Adult and Child Protection Awareness half day course is targeted at staff who come into contact with Adults or Children as part of their daily responsibilities and duties .

**5. TARGETING THE TRAINING**

- Every member of staff who has direct/indirect contact with children and adults is required to undertake the All Wales Safeguarding Awareness Training on safeguarding children and adults.
- The training is compulsory and should be attended within 12 months of starting in post.
- All posts requiring General Safeguarding awareness training, and who start in those posts for the first time in the Council's employment, will be targeted from April 2014 onwards.
- ~~Existing staff members will be identified who have not received~~



the appropriate training, in order to target and introduce the new training / programme.

- As a priority, Designated Managers in each Service will receive the appropriate Safeguarding Training outlining their roles and responsibilities as outlined in the Denbighshire Safeguarding Policy & Guidance.

## **6. METHOD OF DELIVERING THE TRAINING**

### 6.1 Corporate / Departmental Induction

As part of their initial Induction Training staff to be informed of their responsibilities to protect children, young people and adults in line with the Denbighshire Policy and Guidance – Safeguarding Children & Adults.

### 6.2 All Wales Safeguarding Awareness ½ day Training

For all staff, except Designated Managers, who have direct / indirect contact with children and adults.

Training to be delivered by DCC Workforce Development staff (or a training provider) at service area venues as identified by the Designated Managers.

Learning Outcomes:

This training will give the opportunity for participants to:

- Know their own role in relation to safeguarding adults and children and young people from harm, abuse and neglect
- Understand how individuals are protected from harm, abuse and neglect
- Know how to recognise different types of harm, abuse and neglect
- Understand what actions to take if they have concerns about abuse of a child or adult

### 6.3 Designated Manager Training

1 day Training to be delivered by DCC Workforce Development staff (or a training provider)

Learning Outcomes;

This training will give the opportunity for participants to:

- Know their own role in relation to safeguarding adults and children and young people from harm, abuse and neglect
- Understand how individuals are protected from harm, abuse and neglect
- Know how to recognise different types of harm, abuse and neglect
- Understand what actions to take if they have concerns about abuse of a child or adult
- Understand their role in acting as a key source of advice and support for other staff in the Service on all safeguarding issues;
- ~~Become familiar with Denbighshire Council's Policy and~~

Guidelines for Safeguarding Children and Adults along with the All Wales Child Protection Procedures and the Policy & Procedure for the Protection of Vulnerable Adults;

- Ensure that there are effective internal procedures to deal with concerns within the Service by working closely with Social Services to achieve this;
- Understand their role in representing the Service on the Council's Corporate Panel for Safeguarding Children and Adults;
- Understand their role in ensuring that the process of complying with this Policy and Guidelines is monitored regularly to the Corporate Safeguarding Panel

#### 6.4 Refresher Training for all staff

Content, frequency and method of delivery of refresher training will need to be agreed.

### **7. MEASURING THE IMPACT OF THE TRAINING**

7.1. The Council's Services will develop a 'Measuring Impact Programme' using the DCC Corporate Evaluation methodology. NB. This will need resourcing from within each service area by admin support to the Designated Manager.

7.2. Impact can also be measured through:

- Evaluation Forms for the training – completed by attendees;
- The Council's Procedure i.e. Staff Appraisal Scheme / Supervision Policy.

7.3. The impact will be reviewed by the Corporate Panel, and changes recommended to the training in light of the experience/feedback of the managers/attendees of the training if required.

### **8. TIMETABLE**

- Include as part of Corporate Induction from September 2013
- Adult & Child Protection Awareness training to recommence in October 2013 to be replaced by the All Wales Safeguarding Awareness Training programme from February 2014 or earlier once fully approved by the Care Council for Wales. - Frequency tbc – but move to service areas training.
- Designated Manager training to take place January 2013
- Safeguarding training programme will be included in the 2014-15 development programme for Elected Members. (sessions already held for new members in 2013)

8.1 The aim of the new procedure is to reconcile arrangements for the General Safeguarding awareness training across the Council.

8.2 More specialized training for particular occupational groups, and multi-agency training under the Safeguarding Boards for Children/Adults, already takes place and will continue.



APPENDIX 4  
**Safe Recruitment**

## **SAFE RECRUITMENT**

Ensuring that the Council only employs people who are suitable is a key activity in safeguarding the public. Carefully checking the credentials of potential employees is critical.

Denbighshire has detailed policies and procedures relating to Safe Recruitment, for example covering

- Disclosure of Offences and Criminal Records checks
- Applicants with previous convictions
- Checking the past employment histories of specific groups of employees
- Seeking and giving references
- interviewing

These policies and procedures are available on the intranet at

[http://intranet-ad/sorce/apps/sorce\\_doc\\_manager/Actions/view\\_doc.aspx?docid=1218&revid=1234](http://intranet-ad/sorce/apps/sorce_doc_manager/Actions/view_doc.aspx?docid=1218&revid=1234)

and all recruiting managers must be familiar with them. They must also ensure required records are maintained. Regular reports on indicators of Safe Recruitment will be generated and reported to the Corporate Safeguarding Panel.



## APPENDIX 5

# Good Practice Guidelines for Councillors: Safe Contact with Children and Vulnerable Adults

## **GOOD PRACTICE GUIDELINES FOR COUNCILLORS - SAFE CONTACT WITH CHILDREN AND VULNERABLE ADULTS**

1. These guidelines are a statement and description of the standards of conduct expected from all members of the Council when having contact with children or vulnerable adults\* in their office as a Councillor.
2. The guidelines are supplementary to, and do not replace, the Members' Code of Conduct. The Members Code of Conduct remains relevant whenever a member acts in his/her role as elected member, and also at any time in relation to not bringing the office or the Council into disrepute.
3. Some of the requirements of the Code are:
  - To show respect to others and be mindful of them;
  - To address equal opportunity for everyone, regardless of their gender, race, disability, sexual orientation, age or religion;
  - Not to disclose confidential information without consent;
  - Not to behave in a manner which would bring your office or the Council into disrepute;
  - To report any behaviour likely to be criminal by another member or employee to the appropriate authority;
  - Not to use your position inappropriately to cause someone advantage or disadvantage.
4. Members may come into contact with children and vulnerable adults through their position on a committee or working group, or through their role as local member. They may also come into contact with them when representing the Council on external bodies or taking part in events arranged by the Council. Every member of the Council has a corporate parent responsibility for looked after children, and every member also has a responsibility to follow good practice for safeguarding children and vulnerable adults.
5. The aim of these guidelines is to reflect current practice and it is expected that members identify the following standards as those which they aim to reach daily.
6. It is expected that these guidelines give a better understanding to members of the public of what is expected by councillors when they come into contact with them.
7. Every councillor should give a good example in terms of behaviour to ensure that children and vulnerable adults are protected and safeguarded. The guidelines below give details of examples of good practice that must be used.

### **YOU SHOULD**

- Become familiar with the Council's safeguarding policies and guidelines and the current procedures for reporting incidents etc.;
- Attend training on safeguarding children and vulnerable adults;
- Follow a recognised process for reporting incidents, e.g. an incident of health and safety importance;
- Be open to public scrutiny at all times when working with children and young people, and try and avoid situations where you are alone with a child or children or vulnerable adult, with nobody to observe you;
- Respect children and adults' right to privacy, equality, respect and dignity

and a safe and positive environment;

- Place the child or adult's welfare and safety above other considerations;
  - Create an equal relationship based on trust which empowers children and adults to share in the decision-making process;
  - Be an excellent example for children and vulnerable adults.
- 

**YOU SHOULD NOT**

- Touch or allow inappropriate touching in any way, use force or inappropriate language or make suggestive sexual comments;
- Ignore allegations made by a child or vulnerable adult; all allegations or disclosures of abuse by a child or vulnerable adult should be reported immediately to Social Services or the Police.
- Invite or allow children or a vulnerable adult to come to your home where they will be alone with you;
- Enter areas in the Council's buildings that have been specifically allocated for the opposite sex;
- Use the internet, electronic device or phone to access child pornography sites;
- Spread confidential information concerning individual cases to anyone unless through recognised reporting procedures.

*\* A vulnerable adult is a person over 18 years of age who cannot look after himself/herself, or protect himself/herself*



APPENDIX 6  
Referral Procedure



## Referral Procedure

### Recognition and Referral

Suspicion about abuse may take the form of 'concerns' rather than 'known facts'. Safeguarding concerns can arise in many different contexts, including when they are already known to the social services. Concerns can and should be shared with social services through a referral, **using the standard referral form available on the Denbighshire website**. All referrals should be sent to the **firstcontactteam@denbighshire.gov.uk**.


While concerns will not necessarily trigger an investigation, they help to build up a picture, along with concerns from other sources, which may indicate that they may be suffering harm.

In cases of alleged or suspected abuse by a professional or individual employee, the action should also be guided by the procedures contained in Part 1V of the All Wales Child Protection Procedures, the Wales Interim Policy and Procedures and Denbighshire's own procedures on professional abuse and whistle blowing (See Appendix 7).

### Making the referral

Referrals should be made to social services as soon as a problem, suspicion or concern about a child becomes apparent, and certainly within 24 hours. Outside office hours, referrals should be made to the social services emergency duty service or the police. All telephone referrals or referrals made in person should be confirmed in writing within two working days, preferably using the standard referral form. The first contact officer/duty social worker taking the referral should be given as much of the following information as possible by the referrer:

- The nature of the concerns;
- How and why those concerns have arisen;
- The full name, address and date of birth (or age) of the child / adult of concern;
- The names, addresses and dates of birth/ages of family members, along with any other names which they use or are known by;
- The names and relationship of all those with parental responsibility / guardian or carer roles, where known, should be recorded;
- The name, address & date of birth of parent's partner;
- The name, address and date of birth of any other adults living in the household;
- The names of other professionals involved with the family, including for example the name of the child's school and GP;
- Any information you have on the child's developmental needs / adults care needs and his/her parents or caregivers ability to respond to these needs within the context of the wider family and environment;
- Any information affecting the safety of staff;
- In the case of vulnerable adults the capacity and risks of the individual concerned need to be considered



Individual employees, professionals and independent contractors, should be aware that they cannot remain anonymous when making a referral. However, members of the public may remain anonymous, if they wish to.

The individual employee or professional making the referral may be asked to do some or all of the following tasks, and should be prepared and willing to do them: \_

- Contribute to a strategy discussion or strategy meeting;
- Assist in the child protection section 47 enquiries / POVA Adult Investigation;
- Attend the child protection / adult protection conference;
- Provide a written report for the conference;
- Contribute to the assessments.

It is the responsibility of individual employees and professionals to ensure that their child protection concerns are taken seriously and followed through. Each individual employee and professional is accountable for his or her own role in the protection process, and if an individual employee or professional remains concerned they should re-refer and/or bring the matter to the immediate attention of the children or adults senior manager or in their absence the person deputising for their function with responsibility for protection. In all such situations, the individual employee or Professional's own line manager and named professional for child protection should be informed.

### **Denbighshire Social Services**

During office hours\* tel. 01824 712 900

Out-of-hours tel. 0845 053 3116

\*Office hours 8.30am to 5.00pm Mon- Thu, 8.30am to 4.30pm Fri.

Police tel. 0845 607 1002

If you need Police assistance in an EMERGENCY, you should always dial 999

NSPCC tel. 0808 800 5000.

You do not need to know everything about the child / adult of concern and what is happening - just to be worried, or feel that everything is not right.

## APPENDIX 7

### Dealing with Allegations of Professional Abuse

## Dealing with Allegations of Professional Abuse

### Managing Allegations against Workers, Carers and Volunteers who have Contact with Children

Guidance and good practice

Final version

Date of Policy	June 2013
Author of Document	Sue Trehearn Adapted from Flintshire's policy
Revised by	Sue Trehearn
Date of review	June 2014

#### Contents

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12. Unsubstantiated Allegations
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14. Allegations Against Staff in Their Personal Lives
15. Disciplinary Process
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## **1. Introduction**

Children / vulnerable adults can be subjected to abuse by those who work with them in any and every setting. All allegations of abuse or maltreatment of children / vulnerable adults by a professional, staff member, foster carer or volunteer must therefore be taken seriously and treated in accordance with agreed procedures. Local Safeguarding Children Boards and Local Adult Protection Committees have responsibility for ensuring that there are effective inter-agency procedures in place for dealing with allegations against people who have contact with children / vulnerable adults and for monitoring and evaluating the effectiveness of those procedures.

These procedures must be followed by all organisations providing services for children / vulnerable adults and staff or volunteers who work with or care for children / vulnerable adults. Any organisations who commission services for children / vulnerable adults must ensure that their arrangements with those services are consistent with the requirements in this procedure.

These procedures are based on the framework for dealing with allegations of abuse made against a person who works with children in Working Together to Safeguard Children under the Children Act 2004 (Welsh Assembly Government, 2006) and the All Wales Child Protection Procedures (2008) and more recent guidance to managing allegations against foster carers. In relation to adults the procedures are based on the framework for dealing with allegations of abuse against vulnerable adults contained within the Wales Interim Policy and Procedure for the Protection of Vulnerable Adults from Abuse (Nov 2010).

Compliance with these procedures will help to ensure that allegations of abuse are dealt with expeditiously; consistent with a thorough and fair process and Conwy and Denbighshire's Safeguarding Board will establish systems and processes to monitor and evaluate the effectiveness of these procedures.

## **2. Threshold**

These procedures should be applied when there are concerns that any person who works with children / vulnerable adults, either in a paid or unpaid capacity i.e. any employee, foster carer, clergy, childminder or volunteer, where the adult is in a position of trust in relation to the child and family, has:

- Behaved in a way that has harmed a child / vulnerable adult, or may have harmed a child / vulnerable adult
- Possibly committed a criminal offence against or related to a child / vulnerable adult
- Behaved towards a child or children / vulnerable adult in a way that indicates s/he is unsuitable to work with children / vulnerable adults.

It can be very difficult to determine what may fall into 'unsuitable to work with children / vulnerable adults' although all employers have a responsibility to set personal and professional boundaries for staff and to be explicit about what behaviours are unacceptable and will impact on their employment. What constitutes unsuitability will vary depending upon the context and nature of the work undertaken although as a starting point, it is useful to consider whether the

alleged behaviour has:

- harmed or may have harmed a child / vulnerable adult
- contravenes or continues to contravene any safe practice guidance given by their organisation or regulatory body
- exploits or abuses their position of power
- acts in an irresponsible manner which any reasonable person would find alarming or questionable
- demonstrates a failure to understand or appreciate how his/her own actions or those of others could adversely impact upon the safety and wellbeing of a child or young person / vulnerable adult
- demonstrates an inability to make sound professional judgements which safeguard the welfare of children / vulnerable adults
- fails to understand or recognise the need for clear personal and professional boundaries in their work
- behaves in a way in his/her personal life which could put children / vulnerable adults at risk of harm
- has been the subject of a criminal investigation that could impact on the safety of children / vulnerable adults
- has been subject to enquiries under local protection procedures
- behaved in a way which undermines the trust and confidence placed in them by their employer

These behaviours should be considered within the context of the four categories of abuse i.e. Physical Abuse, Sexual Abuse, Financial Abuse, Emotional Abuse and Neglect. These include concerns relating to inappropriate relationships between members of staff and children / young people / vulnerable adults.

Restraints in schools often come up as an 'allegation' when teachers do not ring parents to explain that there has been a restraint in school that day. Careful unpicking of such allegations is indicated sooner rather than later and attention should be paid to the current restraint guidance permitted in different professional settings before reaching a decision on the most appropriate way forward.

### **3. Roles and Responsibilities**

Conwy and Denbighshire Safeguarding Children Board / Denbighshire Adult Protection Committee

will identify a named Senior Officer in each local authority with overall responsibility for:

- Ensuring that the organisation deals with allegations in accordance with these procedures
- Resolving any inter-agency issues
- Liaising with the LSCB / DAPC on the subject

Local authorities should designate an officer to:

- Be involved in the management and oversight of individual cases
- Provide advice and guidance to employers and voluntary organisations
- Liaise with Police and other agencies
- Monitor the progress of cases to ensure that they are dealt with as quickly as possible consistent with a thorough and fair process

Within Denbighshire this will ordinarily be the Service Manager for Safeguarding in Children's Services and Specialist Services Service Manager in Adult Services

Employers should identify:

- A Designated Senior Manager to whom allegations or concerns should be reported
- A deputy to whom reports should be made in the absence of the Designated Senior Manager or where that person is the subject of the allegation or concern

The Detective Inspector in the Public Protection Unit (PPU) will:

- Have strategic oversight of the local police arrangements for managing allegations against staff and volunteers
- Liaise with the LSCB / DAPC on the issue
- Ensure compliance

Each PPU should designate a Detective Sergeant/s to:

- Liaise with the Safeguarding Manager in Social Care
- Take part in Strategy Discussion/Meetings
- Review the progress of cases in which there is a Police involvement
- Undertake an investigation
- Share information as appropriate, on completion of an investigation or related prosecution

#### **4. General Considerations in Response to Allegations and Concerns of Abuse**

##### **Confidentiality**

Every effort should be made to maintain confidentiality and guard against publicity while an

allegation is being investigated or considered. Apart from keeping the child, vulnerable adult, parents, carers / representatives and accused person up to date with progress of the case, information should be restricted to those who have a need to know in order to protect and facilitate enquiries, and manage related disciplinary or suitability processes. The Police should not provide identifying information to the press or media, unless and until a person is charged, except in exceptional circumstances e.g. an appeal to trace a suspect. In such cases, the reasons should be documented and partner agencies consulted beforehand.

### **Support**

The organisation together with Children's or Adult Social Care and/or the Police, where they are involved, should consider the impact on the child / vulnerable adult concerned, ensure the child / vulnerable adults immediate safety or provide support as appropriate. Liaison between the agencies should take place in order to ensure that the child's needs are addressed. The member of staff should:

- Be treated fairly and honestly and helped to understand the concerns expressed and processes involved
- Be kept informed of the progress and outcome of any investigation. The person responsible for this will be identified at the first Strategy Meeting
- If suspended, be advised to contact their union representative and be kept up to date about events in the workplace. Human Resources should be consulted at the earliest opportunity in order that appropriate support can be provided via the organisation's occupational health or employee welfare arrangements.

### **Suspension**

Suspension is a neutral act and it should not be automatic. There could be an option for redeployment to a post where there would be no contact with children / vulnerable adult. Suspension should be considered in any case where:

- There is cause to suspect a child is at risk of Significant Harm, or
- The allegation warrants investigation by the Police, or
- The allegation is so serious that it might be grounds for dismissal

The possible risks to children / vulnerable adults should be evaluated and managed in respect of relevant others in the accused member of staff's home, work or community life. If a Strategy Meeting is to be held, (see Section 6 - Strategy Meeting) or if Children's / Adult's Social Care or the Police are to make enquiries, the Safeguarding Manager should canvass their views on suspension and inform the employer. Only the employer, however, has the power to suspend an accused employee and they cannot be required to do so by a local authority or police. If a suspended person is to return to work, the employer should consider what help and support might be appropriate e.g. a phased return to work and/or provision of a mentor, and also how best to manage the member of staff's contact with the people concerned, if still in the workplace.



## **Resignations and Compromise Agreements**

Every effort should be made to reach a conclusion in all cases even if:

- The individual refuses to cooperate, having been given a full opportunity to answer the allegation and make representations
- It may not be possible to apply any disciplinary sanctions if a person's period of notice expires before the process is complete

'Compromise agreements' should not be used i.e. where a member of staff agrees to resign provided that disciplinary action is not taken and that a future reference is agreed.

### **Organised Abuse**

Investigators should be alert to signs of organised or widespread abuse and/or the involvement of other perpetrators or institutions. They should consider whether the matter should be dealt with in accordance with the guidance in Safeguarding Children: Working Together Under the Children Act 2004 (Sec 9.22 – 9.25) and / or the Wales Interim Policy and Procedure for the Protection of Vulnerable Adults from Abuse (Nov 2010) which, if applicable, will take priority.

### **Whistle-Blowing**

All organisations must ensure they have a robust whistle blowing policy that all workers, carers and volunteers are aware of. They should feel confident to voice concerns about the attitude or actions of colleagues. If a worker, carer or volunteer believes that a reported allegation or concern is not being dealt with appropriately by their organisation, s/he should report the matter to the Safeguarding Manager.

### **Timescales**

It is in everyone's interest for cases to be dealt with expeditiously, fairly and thoroughly and for unnecessary delays to be avoided. The target timescales provided in these procedures are realistic in most cases, but some cases will take longer because of their specific nature, or complexity. Where this is the case, the timescales for progression should be recorded, progress regularly reviewed and the child or young person / vulnerable adult and the worker, carer or volunteer kept informed.

For fostering situations there may be a parallel need to review carers approval at the next available fostering panel.

## **5. Initial Response to an Allegation or Concern**

An allegation against or concerns about a worker, carer or volunteer may arise from a number of sources e.g. a report from a child, a concern raised by another adult in the organisation, a complaint by a parent or carer, or information arising from a disciplinary hearing.

The member of staff who has received the allegation or who has a concern about a colleague must immediately report this to his/her Designated Senior Manager or deputy in his/her absence

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or where the Designated Senior Manager is the subject of the allegation (see section 3).

The member of staff should:

- If the allegation has come from a child, reassure the child that s/he was right to report it
- Make a written record of the information (where possible in the child/adult's own words), including the time, date and place of incident(s), persons present and what was said
- Sign and date the written record and pass immediately to the Designated Senior Manager

The member of staff should not:

- Investigate or ask leading questions if seeking clarification
- Make assumptions or offer alternative explanations
- Promise confidentiality, but give assurance that the Information will be shared on a 'need to know' basis only so that the matter can be investigated in order to keep other children / vulnerable adults safe.

### **Initial Action by the Designated Senior Manager**

When informed of a concern or allegation, the Designated Senior Manager (see section 3) should not investigate the matter or interview the member of staff, child / vulnerable adult concerned or potential witnesses. He/she should:

- Obtain written details of the concern/allegation, signed and dated by the person receiving the allegation (not the child/adult making the allegation)
- Countersign and date the written details
- Record any information about times, dates and location of incident(s) and names of any potential witnesses
- Record discussions about the child / vulnerable adult and/or member of staff, any decisions made, and the reasons for those decisions
- If the child / vulnerable adult has sustained an injury, consider the need to have her/him medically examined. In this instance parent/carer must be notified and reason given as to why medical required.

If the Designated Senior Manager decides that no further action is required the reason for that decision must be recorded and the written record sent to the Safeguarding Manager.

If the allegation meets the criteria in section 2, the Designated Senior Manager should report it to the Intake and Assessment Team within 1 working day. Referral should not be delayed in order to gather information and a failure to report an allegation or concern in accordance with these procedures is a potential disciplinary matter. Where a Designated Senior Manager is unsure about how to proceed or cannot determine whether the criteria are met, there should be consultation with the Service Manager for Safeguarding. In their absence a member of the Social Care Senior Management Team should be contacted. The referral in respect of children who

may be at risk of significant harm in association with the referral will be dealt with in compliance with Section 3 of the All Wales Child Protection Procedures / Wales Interim Policy and Procedure for the Protection of Vulnerable Adults from Abuse (Nov 2010). The contact should be made with the Duty Manager of the Intake and Assessment Team in Social Service for Children or Adults as relevant.

If an allegation requires immediate attention, but is received outside normal office hours, the Designated Senior Managers should consult the Emergency Duty Team or local Police and inform the Safeguarding Manager as soon as possible.

If a Police officer receives an allegation, s/he should, without delay, report it to the Designated Detective Sergeant on the FPU (see section 3). The Detective Sergeant should then immediately inform the Safeguarding Manager and a preliminary strategy discussion undertaken to ensure that immediate safeguards are in place, whether the referral falls within this procedure and whether any immediate briefings to management are required.

Any allegation made to Children's or Adult's Social Services should be immediately reported to the Safeguarding Manager or equivalent.

Any allegation or concern received by a Regulatory Authority must be reported to the Safeguarding Manager within 1 working day. Similarly the Safeguarding Manager should be contacted within 1 working day about any cause for concern that a Regulatory Authority may identify while carrying out its duties.

### **Initial Consideration by the Designated Senior Manager and the Local Authority Designated Officer (Safeguarding Manager)**

There are up to 3 strands in the consideration of an allegation:

- A police investigation of a possible criminal offence
- Social Services for Children / Adult enquiries and/or assessment about whether a child / vulnerable adult is in need of protection or services
- Consideration by an employer of disciplinary action

The Safeguarding Manager and Designated Senior Manager should consider first whether further details are needed and whether there is evidence or information that establishes that the allegation is false or unfounded. Care should be taken to ensure that the child / vulnerable adult is not confused as to dates, times, locations or identity of the member of staff.

If the allegation is not demonstrably false and meets the criteria as in section 2, the Safeguarding Manager, in consultation with the referrer, should consider the need for a Strategy Meeting. Reasons for not convening a Strategy Meeting should be recorded.

The Designated Senior Manager and the Safeguarding Manager should agree how and when the member of staff is informed of the allegation. Consideration must be given to informing the parent/carer at the earliest opportunity. The Safeguarding Manager and Designated Senior Manager should agree what information they are given to ensure that the disciplinary or investigative processes are not impeded.

The Police must be consulted about any case in which a criminal offence may have been committed. If the threshold for Significant Harm is not reached, but a Police investigation might be needed, the Safeguarding Manager should immediately inform the police and consider the need for a Strategy Discussion/Meeting.

The Regulatory Authority should be informed of any allegation or concern made against a member of staff in any day care establishment for children under 8, a registered childminder, a foster carer, prospective adopter, or member of staff in a residential care facility. They should also be invited to take part in any subsequent Strategy Discussion/Meeting.

In circumstances where there remains disagreement between the referring agency and the Safeguarding Manager the case should be referred immediately to the Head of Social Services for Children for a decision or if an adult Head of Adult and Business Services.

## **6. Strategy Meeting**

If the criteria are met for further investigation, a Strategy Meeting must be arranged within 48 hours where at all possible, given capacity issues for chairs and attendees. The reason for delays should be clearly recorded in the minutes. The Strategy Meeting will be convened by the Safeguarding Unit and chaired by the Safeguarding Manager or in their absence, a senior manager from Children's / Adult's Social Care. A record will be made of the meeting and decisions will be made available to the child/parents, vulnerable adult / representative and the alleged perpetrator at the conclusion of the investigation. This information will also be shared with regulating bodies. The following should be considered to attend the Strategy Meeting:

- Safeguarding Manager (Chair)
- Service Manager for Intake and Assessment and or designated investigating officer
- Relevant social worker and his/her manager (if an open case)
- Detective sergeant (FPU)
- Designated Senior Manager for the employer concerned
- Senior Nurse (Child / Adult Protection)
- Education representative
- Human Resources representative
- Legal adviser where appropriate
- Senior representative of the employment agency, church or voluntary organisation if applicable
- Manager and family placement worker from the fostering service provider (including independent foster services) when an allegation is made against a foster carer
- Manager from the residential service when an allegation is made against a residential worker
- A representative of the Regulatory Authority where applicable
- Consultant Paediatrician
- Where a child / adult is placed or resident in the area of another authority, representative(s) of relevant agencies in that area
- Complaints Officer if the concern has arisen from a complaint
- Children and Family Court Advisory and Support Service when involved (CAFCASS)

- Health representative
- A representative from the Social Services for Adults Safeguarding Unit (where appropriate)
- CSSIW (where the concern is about a foster carer, childminder or care provider)

The representative must be at a level of sufficient authority to speak on behalf of their organization and ensure that the organisation acts in accordance with the recommendations of the meeting.

Where the representative of an organisation is implicated through an accusation of collusion or failure to respond to previous complaints, it is inappropriate for him/her to attend the Strategy Meeting.

The Strategy Meeting must:

- Decide whether there should be a Section 47 Enquiry and/or Police investigation and consider the implications
- Consider the current allegation in the context of any previous allegations or concerns
- Where appropriate, take account of any entitlement by staff to use reasonable force to control or restrain children, e.g. Section 550a Education Act 1996 in respect of teachers and authorized staff
- Consider whether a complex abuse investigation is applicable
- Plan enquiries if needed, allocate tasks and set time-scales
- Decide what information can be shared, with whom, when and how.
- Consider whether there is a need to convene an initial child / adult protection conference if there are concerns about the Professional's behaviour towards their own children.

The Strategy Meeting must also:

- Ascertain whether the member of staff has contact with children / vulnerable adults in any other setting.
- Ensure that arrangements are made to protect the child / children / adult involved and any other children / vulnerable adults affected, including taking emergency action where needed
- Examine whether relevant information that may exist in parallel processes is required and relevant—such as a finding of fact within care proceedings.
- Ensure that all children / vulnerable adults who may be affected, directly or indirectly, are identified and considered and provided with support. This would include children / vulnerable adults within the member of staff's own family.
- Consider what support should be provided to the member of staff and others who may be affected. Also consider by whom and how this should be provided.
- Ensure that investigations are sufficiently independent
- Make recommendations where appropriate regarding suspension, or alternatives to suspension
- Identify a lead contact Manager within each agency who will be responsible for co-ordinating the investigation.

- Agree timescales for reviewing investigations and monitoring progress
- Consider issues for the attention of senior management e.g. media interest, resource implications
- Consider reports for consideration of barring
- Consider notifying the Chief Executive/Senior Officer of the employing agency
- Consider whether any parallel disciplinary process can take place and agree protocols for sharing information
- Consider whether Children / Adult Safeguarding Procedures need to be followed.
- Consider what steps need to be taken in relation to establishments where it is felt that abuse has pervaded the whole staffing group with the involvement and collusion of managers.
- Where appropriate consider the wider implications for the organisation e.g .policy and procedures and staff training deficits.

All Strategy Meetings should be recorded and minutes circulated within 5 working days of the Strategy Meeting.

When requests for copies of minutes from Part 4 meetings are made by the subject of the meeting advice should be sought from the legal department in all cases as decisions need to be made on a case by case basis and clearly recorded.

## **7. Conduct of Enquiry**

Once a decision has been made at the first Strategy Meeting, to initiate an enquiry, the member of staff must be contacted and told the nature of the allegation, how the enquiries will be conducted and his/her co-operation sought ,unless this prejudices any aspect of the investigation, e.g. criminal enquiries. The meeting will agree how this will be done.

The enquiry should take into account any signs or patterns, which could suggest the abuse may be more widespread than it appears and whether it involves other perpetrators or institutions.

During the course of the enquiries, the Strategy Meeting Chair must be provided with regular progress reports from the investigating officers on a minimum 4 weekly basis.

Any investigation must be conducted in accordance with the All Wales Child Protection Procedures.

If the child, young person or vulnerable adult needs to be formally interviewed, the interview must take place in accordance with the Joint Children's Social Care and Police Protocol on Investigating Child Abuse involving only trained staff and video equipment or the adult equivalent.

If a Police investigation is to be conducted, the Police should set a date for reviewing its progress and consulting the Crown Prosecution Service about continuing or closing the investigation or

charging the individual. Wherever possible, this should be no later than 4 weeks after the Strategy Meeting.

The evidence gathered in the investigation, including written material, audio or video recordings with the child and other relevant people, may be referred to in all strands of the investigation (Section 47 Enquiry, criminal investigation, complaint investigation and disciplinary procedures) although a Court Order may be required for evidence to be released. The evidence will remain the possession of the investigating agencies in accordance with the Joint Social Care and Police Protocol on Investigating Child Abuse.

Decisions regarding the disclosure of such evidence must be considered carefully in conjunction with the relevant Human Resources procedures.

## **8. Second and Subsequent strategy Meetings**

In addition to the issues addressed at the first Strategy Meeting, subsequent meetings should be held to review

- Progress and results of enquiries
- Therapeutic and support needs of the child or children / vulnerable adult(s)
- Support needs of the child's parents/carers, the worker, carer or volunteer

## **9. Outcome Strategy Meeting**

The existing guidance highlights the duty of this meeting to decide on the balance of probabilities as to whether the concerns are substantiated. This discussion would normally precede any decision by the employer to invoke disciplinary procedures.

All the members of the Initial Strategy Meeting will need to attend. Additional relevant persons may be invited to attend by agreement with the Chair. This may include, where appropriate, contracts managers.

The alleged perpetrator or representative and the alleged victim and parents will not be permitted to attend.

The meeting is responsible for considering the following issues:

- Results of the Section 47 enquiry / POVA enquiry – Is the allegation substantiated, unsubstantiated, inconclusive, unfounded or false?
- Are there any outstanding concerns which require any Police/Children's / Adult's Services procedures?
- Are there any outstanding protection or support issues for the alleged victim?
- Are there any outstanding protection issues for other potential victims?
- Are there any outstanding disciplinary issues?

- Are there any other children / vulnerable adults with whom the alleged perpetrator has a professional relationship?
- Have all protection issues for the children / vulnerable adults of the alleged perpetrator been addressed?
- The requirement for notification to the Independent Safeguarding Authority.
- The identification of the persons responsible for informing the child/parent/carers and the alleged perpetrator of the outcome
- Whether the matter should be referred to the Fostering or Adoption Panels, Welsh Government Independent Investigation Service for Schools (SERVOCA), CSSIW or CAFCASS

Where the concerns are substantiated and individuals lose their position as a result of concerns, a referral should be made to the ISA (see section 11) and any other bodies nominated by the guidance and procedures. The employer responsible for informing such bodies or undertaking internal disciplinary action must inform the Safeguarding Manager in writing that such actions have been undertaken.

#### **10. Substantiated Concerns**

Where abuse or harm is confirmed on the balance of probability, the parents and child / vulnerable adult and /or representative must be informed – who should do this will be confirmed at the outcome meeting. The Chair will write to the alleged perpetrator informing them of the outcome of the investigations.

A disciplinary hearing should then be arranged by the employer within the relevant disciplinary code.

Should the need for a Child Protection / Adult Protection Conference have been identified, this will be organised by the relevant team and the Safeguarding Unit.

#### **11. Informing the Independent Safeguarding Authority (ISA)**

Where the concerns are substantiated, relevant information should be passed to the ISA by the relevant Senior Manager where the person is employed. Organisations must confirm in writing to the Safeguarding Manager that this has been completed.

#### **12. Unsubstantiated Allegations**

Where, following initial enquiries, it is concluded that there is insufficient evidence to determine whether the allegation is substantiated, or the allegation is not substantiated, the relevant Designated Senior Manager/Employer will consider what if any, further action should be taken.

The member of staff/volunteer will be informed of the outcome in writing by the Chair.

Consideration must be given to any support the member of staff may need, particularly if s/he is returning to his/her post following suspension.



The child / vulnerable adult and his/her parents/carers must be informed of the outcome. Who will do this will be identified at the Outcome meeting.

### **13. Unfounded or False Allegations**

If an allegation is determined to be unfounded the employer, in consultation with the Safeguarding Manager, should refer the matter to Children / Adult Social Care to determine whether the child / vulnerable adult is in need of services and/or might have been abused by someone else.

### **14. Allegations against staff in their personal lives**

If an allegation or concern arises about the conduct of a member of staff outside of his/her work with children / vulnerable adults and this may present a risk to children / vulnerable adults for whom the member of staff is responsible, the general principles outlined in these procedures will still apply.

In some cases, an allegation of abuse against someone closely associated with a member of staff, e.g. partner, member of the family or other household member, may present a risk to a child / children / vulnerable adults for whom the member of staff is responsible. In these circumstances the meeting should consider:

- The ability and/or willingness of the member of staff to adequately protect
- Whether measures need to be put in place to ensure their protection
- Whether the role of the member of staff is compromised.

### **15. Disciplinary Process**

The meeting will consider whether disciplinary action is appropriate in all cases where:

- No further action is required under Child / Adult Protection Procedures
- The employer or Safeguarding Manager is informed by Police or the CPS that a criminal investigation and any subsequent trial is complete or that an investigation is to be closed without charge or a prosecution discontinued.

The discussions should consider any potential misconduct or gross misconduct on the part of the member of staff and take into account:

- Information provided by the police and /or social care
- The result of any investigation or trial
- The different standard of proof in disciplinary and criminal proceedings

Where the initial evaluation decides that the allegation does not involve a possible criminal offence it will be dealt with by the employer who should institute appropriate action within 3

working days.

If disciplinary action is required, and further investigation is not required, the disciplinary hearing should be held within 15 working days.

Where further investigation is required by the employer the aim of the investigation is to obtain, as far as possible, a fair, balanced and accurate record in order to consider the appropriateness of disciplinary action and/or the individuals suitability to work with children / vulnerable adults. Its purpose is not to prove or disprove the allegation.

The Safeguarding Manager should be informed of the outcome of disciplinary action, including any training plan with timescales.

## **16. Sharing information for Disciplinary Purposes**

Wherever possible, the Police and Children / Adult Social Care should during the course of their investigations obtain consent to provide the employer and or the Regulatory Authority with evidence for disciplinary purposes. If the police or the CPS decide not to pursue a charge, or decide to administer a caution, or the person is acquitted, the Police should pass relevant information to the employer without delay.

If the person is convicted, the Police should inform the employer straight away so that appropriate action can be taken.

## **17. Record Keeping**

Employers should keep a clear and comprehensive summary of the case record on a person's confidential personnel file and give a copy to the individual.

The record should include details of what the allegation was, how the allegation was followed up and resolved, the decisions reached and the action taken.

The record will provide accurate information for any future reference and provide clarification if a future CRB disclosure reveals an allegation that did result in a prosecution or conviction. This record will prevent unnecessary re-investigation if the allegation should resurface.

Minutes of Strategy Meetings will be held at the Children's Safeguarding Unit / Adult Safeguarding Unit as appropriate.



## APPENDIX 8

# Terms of Reference Corporate Panel for Safeguarding Children and Adults

## **TERMS OF REFERENCE CORPORATE PANEL: SAFEGUARDING CHILDREN AND ADULTS**

### **1. INTRODUCTION**

- 1.1. Section 28 of the Children Act 2004 places a duty on local authorities to make arrangements to ensure that they fulfil their functions in a way which considers the need to safeguard and promote the welfare of children.
- 1.2. The following reflects the 'Statutory Guidelines on the Functions and Accountability of Directors of Social Services' [published by the Welsh Assembly Government – June 2009]. Although every member of staff has a responsibility to safeguard and promote the welfare of children, it is the Statutory Director of Social Services who remains the senior officer in the council with full and final accountability for safeguarding children.
- 1.3. The following does not change the Constitution of Denbighshire Council. The intention is to reinforce existing reporting arrangements.

### **2. TERMS OF REFERENCE OF THE DENBIGHSHIRE COUNCIL CORPORATE PANEL FOR SAFEGUARDING CHILDREN AND ADULTS**

- 2.1. The aim of the Panel is to ensure that robust arrangements for the safety of children and adults are in place within Denbighshire Council.
- 2.2. The Panel will act on a Strategic level in order to:
  - assure relevant Lead Members that the Council's procedures are robust where matters of safeguarding children and adults are concerned;
  - Bring together interdepartmental work in the safeguarding field and ensure effective corporate communication;
  - Support the functions and duties of the Statutory Director within the Council;
  - Resolve any possible barriers that could prevent having effective and successful procedures in place;
  - Identify any gaps in corporate policies and guidelines and ensure they are addressed, working appropriately with the LSCB and the Adult Protection Committee
  - Ensure that appropriate training is available for officers and members
  - Receive and consider information about trends in relation to allegations of professional abuse, and adopt action plans to respond should the need arise;
  - Receive and challenge information about corporate safeguarding performance and the progress against work programmes commissioned
  - Consider and understand the implications of Serious Case Reviews and ensure that the Council responds effectively to recommendations within such reviews;
  - Accept and challenge the Annual Report of the Statutory Director;
  - Approve the Policy and Guidelines for Safeguarding of every Service in the Council and receive information about the performance management arrangements of every service in relation to their safeguarding responsibilities.
  - Produce an Annual Report for CET, Cabinet, and the appropriate Scrutiny Committee

### **3. CHAIRING**

- 3.1. Cabinet member

#### **4. FREQUENCY OF MEETINGS**

4.1. Meetings every quarter

#### **5. GOVERNANCE AND ACCOUNTABILITY**

5.1. The Corporate Panel is accountable to Denbighshire Council Cabinet. The Chair has the right to refer matters to the Cabinet if not satisfied.

5.2 Business Management [i.e. creating a work programme, meeting agendas, secretariat, central communication point, organising additional professional advice if needed] through the function of Head of Children and Family Services.

#### **6. MEMBERSHIP**

<b>Name</b>	<b>Title</b>
Cllr Bobby Feeley	Lead Member, Social Care and Children's Services
Cllr Eryl Williams	Lead Member, Education
Sally Ellis	Director of Social Services
Hywyn Williams	Lead Member, Children and Young People
Karen Evans	Chief Education Officer
Leighton Rees	Head of Children and Family Services
Phil Gilroy	Head of Adult and Business Services
Designated Managers	1 from each service



## APPENDIX 9

# Measuring Impact and Monitoring

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## **MEASURING IMPACT AND MONITORING**

1. In order to ensure that the procedures contained in the corporate safeguarding policy are fully complied with across the Council, and that their implementation secures a positive effect on the lives of children, young people and adults, it is vital to ensure that the following steps happen:
  - It is essential that the policy is communicated effectively to all members of staff, councillors, volunteers, children, parents, carers and anyone else who is affected;
  - There are responsibilities for the Designated Safeguarding Managers in the Departments to ensure that all their staff are familiar with the policy and supplementary procedures;
  - Every Department in the Council has a responsibility to develop a safeguarding policy that is specific to their own service, highlighting how their internal guidelines will comply with the corporate policy and taking into consideration the National Guidelines in the field of child protection and the protection of vulnerable adults;
  - There are individual responsibilities on all members of staff, councillors and volunteers to advocate and promote the policy to establishments or partners, and to ensure that the Council's values and principles in the safeguarding field are communicated clearly to children, their parents, carers and to the public;
  - Ensure that every Department develops quality assurance processes in order to examine compliance with the policy and procedures regularly and report to the Strategic Panel for Safeguarding Children and Adults on any successes, failures or improvement programmes within their departments;
  - Ensure that information on every allegation of professional abuse is reported to the Corporate Panel for Safeguarding Children and Adults as well as to the Local Safeguarding Children Board;
  - Ensure that every department reflects safeguarding as a main priority in their individual business plans, and ensure that every activity takes safeguarding issues into account as a matter of procedure;
  - Ensure that every department develops local indicators in the safeguarding field, and reports on a quarterly basis to the corporate performance monitoring procedure;
  - Secure feedback from the Council's staff with regard to activity in the safeguarding field and how their line managers support them to undertake these duties;
  - Ensure through participation and engagement events that children, young people and adults feel safe in every aspect of their lives and that the Council's activities in the safeguarding field contribute to their feeling of being safe;
  - Ensure that self assessment takes place regularly in schools in order to improve safeguarding practice at all schools;
  - Ensure that a composite annual review is submitted to the Local Safeguarding Children Board on the Council's activity in the safeguarding field;
  - Ensure that a training programme is available at every level which will be filtered to every member of staff in accordance with their needs, and also ensure that refresher training takes place regularly;
  - Ensure that an annual report is submitted to the Corporate Executive Team which will provide information on any safeguarding concerns, activity, feedback from serious case review and progress against the action plan;
  - Ensure that any service commissioned by or on behalf of the Council complies fully with the safeguarding expectations set in the agreement with the partners, and that it is monitored regularly.

