

Safeguarding Children, Young People & Adults at Risk Policy

Service Area: Communities Team
Job Title: Communities Manager



Version Control

Version	Reason for review (review date/legislation/process changes)	Effective Date	Review date
1.0	Original Version	October 2014	
1.1	Amendment to cause for concern form	August 2015	
1.2	Amended to reflect change in categorisations	March 2018	
1.3	Scheduled Review	June 2022	

Approvals

Approved by (Committee/Leadership Team)	Date
SDDC Equalities and Safeguarding Group	Oct 14
SDDC Housing and Communities Committee	Oct 14
SDDC Equalities and Safeguarding Group	Sept 15
SDDC Equalities and Safeguarding Group	April 18
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1.0 Introduction

- 1.1 Safeguarding is ‘everyone’s business.’ This Policy sets out South Derbyshire District Council’s (‘the Council’) responsibilities to ensure children, young people and adults at risk are kept safe from harm.
- 1.2 The safeguarding and welfare of children and adults at risk (in particular the protection of them from significant harm) depends upon effective joint working between agencies and professionals that have different roles and expertise.
- 1.3 The Council believes that:
- children, young people and adults at risk should never experience abuse of any kind
 - we have a responsibility to promote the welfare of all children, young people, and adults at risk to keep them safe and to practise in a way that protects them.
- 1.4 This Policy covers all Elected Members, employees and volunteers at the Council, including contracted service providers.
- 1.5 While Elected Members, employees, volunteers and contracted services providers are likely to have varied levels of contact with children, young people and adults at risk as part of their duties and responsibilities for the Council, everyone should be aware of the potential indicators of abuse and neglect and be clear about what to do if they have concerns. Responsibilities are limited and it is important to remember the following:

It is **not** the responsibility of any South Derbyshire District Council Elected Member, employee, volunteer or contracted service provider to determine whether abuse is actually taking place

HOWEVER

It is the responsibility of the Elected Member, employee, volunteer or contracted service provider to take the actions set out in the procedure, if they are concerned abuse is taking place

Definitions - Childrens Safeguarding

- 1.6 The Working Together to Safeguard Children Guidance 2018 stated that safeguarding and promoting the welfare of children is defined (for the purpose of the guidance) as:
- protecting children (anyone under 18) from maltreatment
 - preventing impairment of children’s mental and physical health or development



- ensuring that children grow up in circumstances consistent with the provision of safe and effective care
- taking action to enable all children to have the best outcomes

1.7 There are four main categories of Child Abuse:

- physical abuse
- emotional abuse
- sexual abuse
- neglect

Definitions - Adult at Risk Safeguarding

1.8 An Adult is defined as any person over 18 years old and an Adult at Risk is 'any person who is aged 18 years or over and at risk of abuse or neglect because of their needs for care and support' (Care Act 2014)

1.9 The Care Act 2014 identifies the following types of Adult abuse:

- Self-neglect
- Modern Slavery
- Domestic Abuse and coercive control
- Discriminatory Abuse
- Organisational Abuse
- Physical Abuse
- Sexual Abuse
- Financial or Material Abuse
- Neglect
- Emotional or Psychological Abuse

1.10 More detailed definitions of all the categories and types of abuse can be found in the Safeguarding Procedure Document which accompanies this document

2.0 Purpose

2.1 The purpose of this Policy is to protect and promote the welfare of the children, young people and adults using or receiving services provided or commissioned by the Council, and to support the Council's officers, Elected Members, casual staff and volunteers in fulfilling their statutory responsibilities. As a service provider, the Council is committed to safeguarding children and adults and will endeavour to work with tenants, parents, carers, partners and other relevant parties to ensure all children and adults are protected from harm.

2.2 The Council recognises that Derbyshire County Council's (DCC) Children's Social Care and the Police are the lead agencies in the district with regard to child protection and DCC's Adult Social Services is the lead agency with regards to adults at risk. However, the Council recognises that



everyone has a responsibility for child protection and protecting Adults at Risk, including all employees and Elected Members.

2.3 Therefore, the role of the Council is not to investigate allegations of abuse, it is the responsibility for all Council Elected Members, employees, volunteers and contracted services providers to take action when they suspect or recognise that a child, young person or adult at risk may be a victim of harm or abuse.

2.4 This Policy demonstrates how the Council will meet its legal obligations and reassure members of the public, service users, Elected Members, employees, volunteers and those working on behalf of the Council that:

2.5 They can expect the Council to do to protect and safeguard children, young people and Adults at Risk;

- b) They are able to safely voice any concerns through an established procedure;
- c) All reports of abuse or potential abuse are dealt with in a serious and effective manner;
- d) There is an efficient recording and monitoring system in place
- e) Elected Members, employees, volunteers and contractors receive appropriate training;
- f) Robust 'safer' recruitment procedures are in place.

2.6 This is a corporate policy. However, different service areas and venues may have specific additional policies and operating procedures that need to be adhered to when working in those particular service areas

3.0 Policy Principles

3.1 The Council believes 'safeguarding' is a commitment to the following principles for children, young people and Adults at Risk:

- a) Their welfare is paramount
- b) Whatever their background and culture, parental or pregnancy status, age, disability, gender, racial origin, religious belief, sexual orientation and/or gender identity, they have the right to participate in society in an environment which is safe and free from violence, fear, abuse, bullying and discrimination.
- c) They have the right to be protected from harm, exploitation, abuse, and to be provided with safe environments to live and play.
- d) Working in partnership with them, alongside their parents or carers and other agencies, is essential to the promotion of their welfare.



4.0 Legal Framework

4.1 Derbyshire County Council (DCC) is also the lead agency for the protection of Adults at Risk. The Council is committed to working in partnership with DCC in delivering their responsibilities around Safeguarding adults.

4.2 The Council will work in compliance with the Derbyshire Safeguarding Children Board, Derbyshire Safeguarding Adults Board and the Safer Derbyshire Team at Derbyshire County Council as well as other Partner Agencies.

The Care Act 2014

4.3 Section 42 of The Care Act 2014 requires that a Local Authority must: “make enquiries, or cause others to do so, if it believes an adult is experiencing, or is at risk of, abuse or neglect.” An enquiry should establish whether any action needs to be taken to prevent or stop abuse or neglect.

The safeguarding duties apply to an Adult who:

- Have needs for care and support (Whether or not the local authority is meeting any of those needs)
- Is experiencing, or at risk of, abuse or neglect
- Is unable to protect themselves from either the risk of, or the experience of abuse or neglect.

The Children Act 1989 & 2004

4.4 The Children Act 1989 states that the child’s welfare is paramount and that every child has a right to protection from abuse, neglect and exploitation. Statutory guidance on making arrangements to safeguard and promote the welfare of children under Sections 10, 11 and 13 of the Children Act 2004 and specifies what is required of the Council.

4.5 The Children Act 2004, as amended by the Children and Social Work Act 2017, strengthens this already important relationship by placing new duties on key agencies in a local area. Specifically, the police, clinical commissioning groups and the local authority are under a duty to make arrangements to work together, and with other partners locally, to safeguard and promote the welfare of all children in their area.

4.6 When a young person reaches the age of 18 the responsibility for their well-being may transfer to Adult Service Providers.

4.7 The Council has a duty to co-operate with Derbyshire County Council in discharging its duties as a Children’s Services Authority and to promote the well-being of children and young people.

Working Together 2018 Guidance

4.8 The Working Together 2018 guidance document stated:



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- There must be a shared approach between organisations and agencies to safeguard and promote the welfare of all children in a local area.
- The responsibility for this join-up locally rests with the three safeguarding partners who have a shared and equal duty to make arrangements to work together to safeguard and promote the welfare **of all children in a local area.**

4.9 A safeguarding partner in relation to a local authority area in England is defined under the Children Act 2004 (as amended by the Children and Social Work Act, 2017) as:

- (a) the local authority
- (b) a clinical commissioning group
- (c) the chief officer of police

4.10 The Council must carry out its safeguarding responsibilities by ensuring that the needs and interests of children, young people and Adults at Risk are considered by all Elected Members, employees, volunteers and contracted services, when taking decisions in relation to service provision.

5.0 Objectives

5.1 The Council is committed to safeguarding children, young people and Adults at Risk from abuse when they are engaged in services organised and provided by, or on behalf of, the Council. This Policy will help the Council:

- a) Endeavour to keep residents and service users safe from abuse. Suspicion of abuse will be responded to promptly and appropriately. We will always act in the best interests of the child, young person or Adult at Risk.
- b) Proactively seek to promote the welfare and protection of all children, young people and Adults at Risk living in South Derbyshire at all times.
- c) Ensure that unsuitable people are prevented from working with children, young people, and Adults at Risk through robust 'safer recruitment' procedures.
- d) Deal with any concern raised by an Elected Member, employee, volunteer, contracted service provider, or member of the public appropriately and sensitively.
- e) Safeguarding referrals made by an Elected Member, employee, volunteer or contracted service provider cannot be anonymous and should be made in the knowledge that, during the course of enquiries, the referrers may be required as prosecution witnesses.
- f) Not tolerate harassment of any Elected Member, employee, volunteer, contracted service provider or child, young person or Adult at Risk who raises concerns of abuse or neglect.
- g) Work in co-operation with DCC and make appropriate changes and amendments to improve the Council's safeguarding policies and procedure as recommended by the Derbyshire Safeguarding Adults Board and Derbyshire Safeguarding Children Board.



- h) Prevent abuse by using good practice to create a safe and healthy environment and avoid situations where abuse or allegations of abuse could occur.
- i) Establish an appropriate governance structure, made up with representatives from Service areas across the Council to monitor activity and make necessary improvements around this agenda, led by the Safeguarding Officer. This Forum will link to the appropriate Safeguarding Boards, subgroups and report to the Corporate Management Team
- j) Ensure all staff have an appropriate level of Safeguarding Training and access to information in order to understand what action to take if they witness or are informed of a safeguarding concern

6.0 Performance and Monitoring

- 6.1 The Organisational Lead Officer for Safeguarding will quality check all Cause for Concern forms submitted by officers and will request additional information and action if required.

The Council has a Corporate Safeguarding Group which meets quarterly and discusses any changes in legislation, reviews training and policy, discusses specific cases and receives feedback from the County Safeguarding Leads Group.

The Council will also ensure there is:

- a) Senior management commitment to the importance of safeguarding and promoting children's welfare.
- b) Clear lines of accountability for work on safeguarding and promoting wellbeing.
- d) Safer recruitment procedures for those coming into contact with children and young people.
- f) Appropriate training for staff, Elected Member's and volunteers .
- g) A duty to promote inter-agency cooperation between named agencies, including district councils.
- h) Representation on, and participation in, local safeguarding children's and adult at risk's Boards (if appropriate) and the County Safeguarding Steering Group.
- i) Effective working relations within the Council and with other agencies to safeguard and promote well-being and to share information effectively.



7.0 Roles and Responsibilities

Responsible	Accountable
<ul style="list-style-type: none"> • All Heads of Service <ul style="list-style-type: none"> ○ To ensure all staff aware of policy ○ To ensure Staff have received Safeguarding Training ○ Ensure that appropriate employees are subject to Disclosure & Barring Service (DBS) checks • Head of Cultural and Communities Team <ul style="list-style-type: none"> ○ Establish Policy and ensure reviewed ○ Ensure equalities impact assessment undertaken as part of this policy • Communities Team Manager <ul style="list-style-type: none"> ○ Is the Designated Professional Lead for Safeguarding - can be contacted to consult with on any concerns or queries that a member of staff, line manager or Elected Member may have around safeguarding ○ Ensures this Policy is fit for purpose and updated where necessary ie: changes in legislation or working practices. ○ Work with HR to ensure Safeguarding Training is provided for all staff ○ Ensure Corporate Intranet Safeguarding hub is updated and accessible to all staff. ○ Attend County Safeguarding Leads Group ○ Administer the Corporate Safeguarding group and update the group on Training, legislation, best practice and updates from the County Safeguarding Leads Group. • Safeguarding Link Officers/ Elected Members of Corporate Safeguarding Group <ul style="list-style-type: none"> ○ Attend Safeguarding Corporate meetings ○ Advise and support other team Elected Members on the reporting process and if necessary, link in with Safeguarding Lead Officers ○ Bring any concerns or best practice to the Corporate Safeguarding Group • All Staff, Elected Members and Volunteers <ul style="list-style-type: none"> ○ Are responsible for carrying out their duties in a way that actively safeguards and promotes the welfare of children, young people and Adults at risk. ○ Act in a way that protects them from wrongful allegations of abuse. 	<ul style="list-style-type: none"> • Chief Executive <ul style="list-style-type: none"> ○ Leadership commitment to policy aims • Strategic Director of Corporate Services <ul style="list-style-type: none"> ○ Is the Organisational Lead Officer for Safeguarding ○ Has a responsible for recording all reports or concerns about the protection of children, young people and Adults at risk appropriately and in accordance with the procedures that underpin this Policy. ○ Responsible for approving the ‘Safeguarding’ Policy and related procedures are implemented, monitored and consistently reviewed on a regular basis.



<ul style="list-style-type: none"> ○ Report safeguarding concerns to the attention of the Organisational Lead Officer for Safeguarding. 	
Consulted	Informed
<ul style="list-style-type: none"> • Corporate Safeguarding Group Elected Members <ul style="list-style-type: none"> ○ For information, awareness and comments • Trade Unions <ul style="list-style-type: none"> ○ For Information and comment 	<ul style="list-style-type: none"> • All employees & Elected Members <ul style="list-style-type: none"> ○ To understand and comply to policy

8.0 Employees, Training, Recruitment & Contractors

- 8.1 The Council is committed to safer recruitment procedures set out by the Derbyshire Safeguarding Children Board (DSCB) and the Derby & Derbyshire Safeguarding Adults at Risk Partnership. It is identified that where services or staff have regular or frequent contact with children, young people and Adults at Risk then appropriate procedures are initiated by the recruiting Manager and the relevant Human Resources Officer, for example, take up references and make use of Disclosure and Baring Services (DBS).
- 8.2 The Disclosure and Barring Service helps make safer recruitment decisions and prevent unsuitable people from working with vulnerable groups, including children. <https://www.gov.uk/government/organisations/disclosure-and-barring-service>
- 8.3 All new staff will be made aware of this policy as part of their initial induction process and there will be regular training and updates for all staff.
- 8.4 Safeguarding Training is compulsory for every member of staff and staff should receive refresher training at least every three years.
- 8.5 Safeguarding training will also be provided. Training may include internal courses, workshops, supported e-learning programme, external courses, seminars and workshops organised by Safeguarding agencies. Employees are encouraged to ask for additional training to build understanding of specific safeguarding issues (for example dealing with Child Sexual Exploitation, Modern Slavery and Prevent).
- 8.6 Employees will also have access to specialist training through the Derbyshire Local Safeguarding Children Board and Safer Derbyshire.
- 8.7 The Council’s Procurement Policy stipulates that a Safeguarding Policy must be submitted as part of the tender evaluation process. Contractors will be expected to have approved their own



Safeguarding Policy, which has been reviewed by the officer responsible for the contract and recognised as fit for purpose.

- 8.8 Contractors, sub-contractors or other organisations funded by or on behalf of the Council are responsible for applying the appropriate DBS checks, delivering safeguarding training commensurate with their level of contact with children, young people and Adults at Risk; and ensuring their employees comply with their organisational Safeguarding Policy and Procedures.
- 8.9 If contractors do not have a Safeguarding Policy they will be required to adhere to the Council policy. The principle of safe recruitment will, therefore, be included in the terms of any contract drawn up between the Council and contractors or agencies that provide Council services for, or adults to work with, children and vulnerable adults.
- 8.10 The Council will monitor compliance with the contract. This will also include a requirement that the provider will not sub-contract to any organisation that does not have a Safeguarding Policy and applies safe recruitment processes.

9.0 Sustainability Impact Assessment

Our Environment	Potentially positive impact (Y/N)	Potentially negative impact (Y/N)	No disproportionate impact (Y/N)	Sustainable Assessments findings <i>(Please utilise the guidance provided for assessment findings.)</i>
Improve the Environment of the District			Y	
Tackle Climate Change			Y	
Enhance the attractiveness of South Derbyshire			Y	
Our People				
Engage with Communities			Y	
Supporting and Safeguarding the most vulnerable	Y			<i>The policy details the Councils Aims and commitment to protecting Children and adults at risk and provides staff with guidance on how to recognise and report and safeguarding concerns they may encounter.</i>
Deliver Excellent Services	Y		Y	<i>Ensuring staff know how to deal with any safeguarding matters in a professional way so not to cause added stress to the victims.</i>
Our Future				



Develop Skills and careers			Y	
Support economic growth and infrastructure			Y	
Transforming the Council			Y	

10.0 Policy Review

10.1 This policy and the procedure document will be reviewed every 3 years, Any minor changes/ updates can be approved by the Strategic Director of Service Delivery or the Strategic Director of Corporate Services.

11.0 Equality Impact Assessment (EIA) Form

11.1 A preliminary EIA Form has been completed and the Policy will not potentially have a negative impact on any of the protected characteristics, therefore a full EIA is not required.

12.0 References

- The Care Act 2014
- The Childrens Act 1989
- Working Together 2018 Guidance
- HM Governments Disclosure and Baring Service Website
- HM Governments Every Child Matters Document
- Safer Derbyshire Modern Slavery Website
- Derbyshire Safeguarding Adults Website
- Derbyshire Safeguarding Childrens Website
- The Derby City and Derbyshire Threshold Document (Providing effective multi-agency support for Children, Young People and their Families)
- Derbyshire Adult Safeguarding Board VARM Website
- HM Information Sharing Document 2018

Include references to ensure a clear evidence base and cross-reference to associated Council policies and procedures etc



13.0 Associated Documentation

Description of Documentation	Document Reference
Safeguarding Children, young People and Adults at Risk Procedure Document	Access via Connect (SDDC Staff intranet site)
SDDC Policy Framework	Access Via Connect (My Policies)
SDDC Training Matrix	AWAITING
SDDC Corporate Plan	2020-2024
Committee Report for approval of policy	AWAITING
SDDC Safeguarding Hub	Access via Connect (SDDC Staff intranet site)
SDDC Cause for Concern Form	Access via Councils Safeguarding Hub

14.0 Appendices / Glossary

14.1 Council Safeguarding Contacts

There are a number of individuals within the Council who can offer help, support and advice if you are unsure of what action to take or need to discuss an incident.

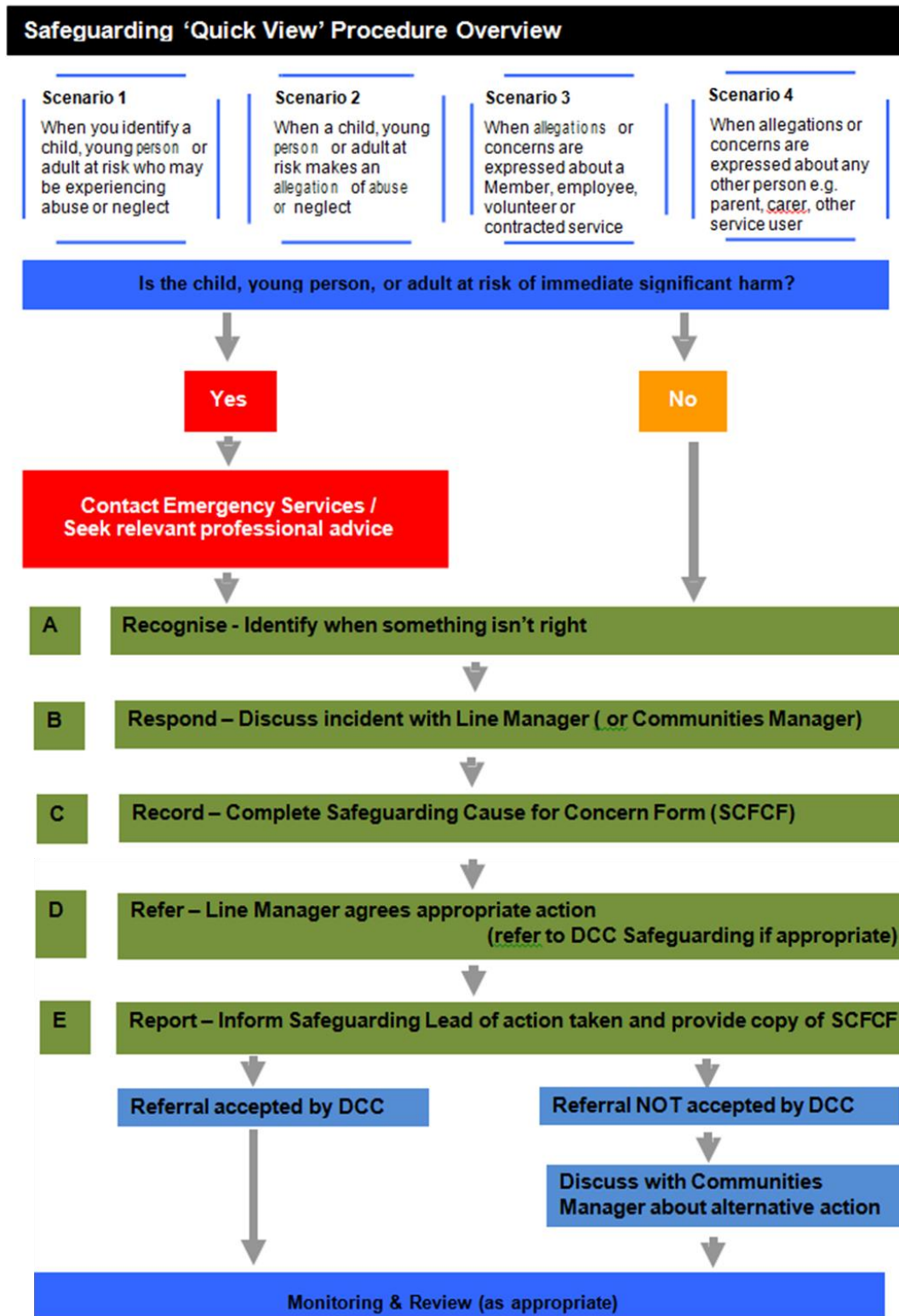
A list of the Safeguarding Lead Officers and Link Officers and their contacts can be found on the Safeguarding Hub Homepage, on the Councils Intranet Page (Connect).

https://southderbyshiregovuk.sharepoint.com/sites/Connect_Hub/SitePages/Safeguarding_Hub/Safeguarding-Hub.aspx

These officers will be able to assist you on how to deal with any cause for concern you may have become aware of. You do not need to contact the Link Officer for your team, any of them will offer you guidance and support.



14.2 Flow chart for referrals



3



14.3 Seven Golden Rules for Information Sharing (HM Government guidance)

1. Remember that the General Data Protection Regulations, Data Protection Act (2018) and human rights laws are not barriers to justified information sharing but provide a framework to ensure that personal information about living individuals is shared appropriately;
2. Be open and honest with the individual (and/or their family where appropriate) from the outset about why, what, how and with whom information will, or could be shared, and seek their agreement, unless it is unsafe or inappropriate to do so;
3. Seek advice from other practitioners or your information governance lead if you are in any doubt about sharing the information concerned, without disclosing the identity of the individual where possible;
4. Where possible share with consent and, where possible, respect the wishes of those who do not consent to having their information shared. Under the GDPR and Data Protection Act (2018) you may share information without consent if, in your judgement, there is a lawful reason to do so, such as where safety may be at risk. You will need to base your judgment on the facts of the case. When you are sharing or requesting personal information from someone, be clear of the basis upon which you are doing so. Where you do not have consent, be mindful that an individual might not expect information to be shared;
5. Consider safety and well-being: Base your information sharing decisions on considerations of the safety and wellbeing of the individual and others who may be affected by their actions;
6. Necessary, proportionate, relevant, accurate, timely and secure: Ensure that the information you share is necessary for the purpose for which you are sharing it, is shared only with those people who need to have it, is accurate and up-to-date, is shared in a timely fashion, and is shared securely (Practitioners must always follow their organisation's policy on security for handling personal information);
7. Keep a record of your decision and the reasons for it - whether it is to share information or not. If you decide to share, then record what you have shared, with whom and for what purpose. Information on children and families can be held in many different ways, including in case records or electronically on a variety of IT systems which are accessible to different practitioners. Information may be shared face to face, over the telephone or via secure email. Whenever information is shared, a record of this should be made in the individual's record and the information should not be kept any longer than is necessary. In some rare circumstances, this may be indefinitely, but if this is the case, there should be a review process scheduled at regular intervals to ensure data is not retained where it is unnecessary to do so.



14.4 Policy Briefing Form

Policy Briefing Form

Introduction

This form is to provide a brief update to summarise the changes/amendments to an existing policy or to provide a summary for a new policy. This form should be used for the consultation, approval and communication of all adopted policies.

Policy update

A summary of the policy is detailed below

Policy Name: Safeguarding Children, Young People & Adults at Risk Policy & Procedure

Policy Date: First version 2014

Version Number: 1.3

Summary of Policy:

The purpose of this Policy is to protect and promote the welfare of the children, young people and adults using or receiving services provided or commissioned by the Council, and to support the Council's officers, Elected Members, casual staff and volunteers in fulfilling their statutory responsibilities.

Summary of key changes made to an existing policy.

Section	Amendment
Performance and Monitoring	New
Information Sharing	New
Obtaining Consent	New
Sustainability Impact Assessment	New

Following final adoption of the policy, this form will be used by the communication team to be included in Core Brief as part of the communication plan.

Further information can be found in the 'My Policies' section in Connect.

