

**Cheltenham Borough Council
Cabinet – 12th March 2013**

Review of the Safeguarding Children and Vulnerable Adult Policy

Accountable member	Cabinet Member Housing and Safety – Councillor Peter Jeffries
Accountable officer	Tracy Brown, Partnerships Team Leader
Ward(s) affected	All
Key Decision	Yes
Executive summary	<p>Since 2009 when Cheltenham Borough Council agreed its Safeguarding Children and Vulnerable Adults Policy, local and national understanding of safeguarding has evolved and developed.</p> <p>New protocols and best practice have been informed by both a greater awareness of how to effectively safeguard children and vulnerable adults and lessons learnt from failures to do so at both local and national level.</p> <p>Therefore following a formal review of the policy it has been restructured so that while it retains the main principles and procedures laid out in the previous policy it is now in a handbook format. It now also incorporates new local protocols and training pathways as well as national changes to the Disclosure and Barring Scheme.</p>
Recommendations	To adopt the revised policy, procedures and guidelines as set out in the Cheltenham Borough Council Safeguarding Handbook – attached as appendix 2

Financial implications	<p>There are no direct financial implications arising from this report</p> <p>Contact officer: Des Knight, GO Financial Services des.knight@cheltenham.gov.uk, 01242 264124</p>
Legal implications	<p>None direct arising from the recommendation</p> <p>Contact officer: Peter Lewis, Head of Legal Services peter.lewis@tewkesbury.gov.uk, 01684 272012</p>
HR implications (including learning and organisational development)	<p>GO Shared Services are committed to supporting the council strengthen its safeguarding practices. This will be through enabling safe recruitment practices, the provision of safeguarding training and through supporting officers and members.</p> <p>Contact officer: Julie McCarthy, GO Shared Services julie.mccarthy@cheltenham.gov.uk, 01242 264355</p>

Key risks	If safeguarding arrangements are not fully implemented it could result in a failure to safeguard either a child or vulnerable adult.
Corporate and community plan Implications	The Safeguarding Children and Vulnerable Adult Policy supports the council's objective to strengthen our communities and particularly the outcome that Communities feel safe and are safe
Environmental and climate change implications	Neutral
Property/Asset Implications	None Contact officer: David Roberts@cheltenham.gov.uk

1. Background

- 1.1** The Borough Council first adopted a safeguarding policy that covered both children and vulnerable adults in 2009. This joint policy has worked effectively to raise awareness of safeguarding in terms of both children and vulnerable adults and underlined the responsibility that all Council services have to both groups.
- 1.2** Locally the Gloucestershire Safeguarding Children's Board and the Gloucestershire Safeguarding Adults' Board have agreed to have a joint chair to facilitate closer working relationship between the two boards. They have also setup some joint and some aligned sub groups to ensure there is at least cross over between the two agendas even if there cannot be full joint working as yet. It therefore seemed appropriate for the Council's safeguarding policy to continue to cover both children and vulnerable adults and to align or join procedures and guidance wherever possible.
- 1.3** The high profile media coverage of safeguarding over recent months has shown that it is important to ensure that safeguarding is kept at the forefront of work with children and vulnerable adults so that they are able to access safe services. It has also helped raise awareness of issues that surround safeguarding such as child sexual exploitation, parental substance misuse and whistle blowing procedures. It was therefore important that the existing policy was reviewed with this in mind and contains the most up to date best practice and guidance possible in these areas.

2. Revisions to current policy

- 2.1** The key principles of the policy have remained the same as has the majority of the content. However in response to the feedback from the Council's designated officer group the policy is now following a similar structure to the handbook that is used successfully in Gloucestershire schools. This will make the policy, and the protocols and guidance within it more accessible to council officers and elected members, the majority of whom come across safeguarding concerns on an infrequent basis. It also further brings together processes for safeguarding children and vulnerable adults which is the direction of travel being undertaken by the Gloucestershire safeguarding children's boards and Gloucestershire safeguarding adults' boards who are aligning themselves closer together.
- 2.2** Since the 2009 policy, staff restructuring has enabled an officer to be given specific responsibility for safeguarding within their job role. The role of lead designated officer is outlined in the policy and offers the capacity for support and advice across Council services. This role is undertaken by the Partnerships Team Leader. The important role of elected members in terms of safeguarding is now included in section 2 of the handbook along with the responsibilities of all council officers.
- 2.3** Responsibility for the inclusion of safeguarding within the commissioning of services is also specifically outlined. This was identified in the Council's section 11 self assessment audit (October 2011) as an area for concern, as there were not sufficient control measures in place to consistently ensure that safeguarding ran through out commissioning. This has now been addressed and safeguarding is very prominent for instance in the commissioning of our leisure and culture services
- 2.4** The Protection of Freedom Act 2012 has enshrined in statute the scaling back of vetting and barring for those who work with children and vulnerable adults. It has also facilitated the merging of the Independent Safeguarding Authority and the Criminal Records Bureau to form a single Disclosure and Barring Service. These changes are reflected in the revised policy. Although the specific procedures around disclosure checks are contained within the council's separate CRB policy (2007 Humman Resources). Once the full changes to the processes have been implemented at national level there will be opportunity to review that policy but in the interim the general changes are included within the Safeguarding policy.

- 2.5** The policy sets out the increased number of training opportunities available for those working with both children and vulnerable adults. This ensures employees, casual workers, volunteers and elected members can access training at the level relevant to their role. This majority of this training is available for free via online tutorials. Face to face training is still provided though this incurs a cost that is shared between divisions whose officers attend.
- 2.6** The policy now includes more detailed protocols and information about reporting a concern about a child. It includes reference to the level of needs guidance produced by the County Council to support appropriate referrals. This helps limit the number of inappropriate referrals that take up valuable resources. The policy commits that the Council will use the recently launched child sexual exploitation protocol to help support the work of partners to prevent sexual exploitation. It also commits that the impact of parental substance misuse protocol will be used so that children affected by this are less likely to be overlooked if they come into contact with council services.
- 2.7** The handbook also includes new procedures relating to the escalation of professional differences. It is vital that this is within the policy as many serious case reviews have highlighted that organisations have not challenged other organisation’s decisions and this has on occasions left children or vulnerable adults at risk of harm. This procedures inclusion in the policy supports those associated with the Council to challenge positively and appropriately when necessary.
- 2.8** As well as the changes to vetting and barring mentioned previously the Protection of Freedoms Act also places a duty on the Council as a provider of regulated activity to make referrals to the Disclosure and Barring Service. The Council must refer any person undertaking regulated activity who is involved in a safeguarding incident that meets the criteria. Detailed criteria and the definition of regulated activity as well as the procedures to make a referral are set out in the policy.

3. Performance management –monitoring and review

- 3.1** The Council is required to submit a section 11 audit annually to the GSCB. This provides external scrutiny to the Council’s safeguarding arrangements. Although the audit only applies to children’s safeguarding the Cheltenham Borough Council Safeguarding Officer group will use the standards within in it to self assess the effectiveness of the safeguarding of adults as well. The policy will be formally reviewed after three years but it will also be reviewed following either a safeguarding incident, in response to serious case review recommendations, recommendations from an external inspections or a change in legislation.

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Appendices	1. Risk Assessment 2. Cheltenham Borough Council Safeguarding Handbook
Background information	1.

The risk				Original risk score (impact x likelihood)			Managing risk				
Risk ref.	Risk description	Risk Owner	Date raised	Impact 1-5	Likelihood 1-6	Score	Control	Action	Deadline	Responsible officer	Transferred to risk register
	If services commissioned by the Council do not meet the safeguarding standards required the Council may not meet its statutory duties	Director of Commissioning		4	2	8	Reduce	Use robust monitoring arrangements of safeguarding within current and future commissioning exercises	1/4/14	Director of Commissioning	
	If services commissioned by the Council do not meet the required safeguarding standards there may be a failure to safeguard a child or vulnerable adult using those services	Director of Commissioning		4	2	8	Reduce	Use robust monitoring arrangements of safeguarding within current and future commissioning exercises	1/4/14	Director of Commissioning	
	If services areas fail to engage with the safeguarding agenda fully the council may not meet its statutory duties.	Partnerships Team Leader		4	2	8	Reduce	Work through the designated officer group to support service areas to implement the revised policy effectively	2/9/13	Partnerships Team Leader	
	If services areas fail to engage with the safeguarding agenda fully there may be a failure to safeguard a child or vulnerable adult in our care	Partnerships Team Leader		4		8	Reduce	Work through the designated officer group to support service areas to implement the revised policy effectively	2/9/13	Partnerships Team Leader	
<p>Explanatory notes Impact – an assessment of the impact if the risk occurs on a scale of 1-5 (1 being least impact and 5 being major or critical) Likelihood – how likely is it that the risk will occur on a scale of 1-6 (1 being almost impossible, 2 is very low, 3 is low, 4 significant, 5 high and 6 a very high probability) Control - Either: Reduce / Accept / Transfer to 3rd party / Close</p>											