

Forest Heath District Council

(This report is a Key Decision. This report has been subject to appropriate notice of publication under the Council's Access to Information Rules)

Report of the Cabinet Member for Families and Communities

CABINET

4 DECEMBER 2012

CAB12/046

SAFEGUARDING CHILDREN AND YOUNG PEOPLE POLICY AND GUIDANCE – JOINT 'WEST SUFFOLK' POLICY (Key Decision Reference: DEC12/06)

1. Summary and reasons for recommendation(s)

- 1.1 This report describes the implementation of a Joint Safeguarding Policy for West Suffolk bringing together two previous stand alone policies for Forest Heath District Council (FHDC) and St Edmundsbury Borough Council (SEBC).
- 1.2 Following a joint presentation to the Suffolk Safeguarding Children Board (SSCB) by FHDC and SEBC in April 2012. The Board highlighted organisational change as a major risk factor and suggested that as the staff structure merges, a joint safeguarding policy is established to avoid any confusion on the process for referring concerns along with contact details of where to go for advice and support.
- 1.3 The report seeks suggested amendments and approval of the joint policy which has been proposed to ensure that Forest Heath District Council and St Edmundsbury Borough Council continue to meet its obligations under the Children Act 2004.
- 1.4 The report and draft policy have been considered and recommended to Cabinet for adoption, by the Overview and Scrutiny Committee's at SEBC on 24th October 2012 and FHDC on 25th October 2012 (OAS12/418), who suggested a few changes that have been incorporated into the attached draft policy.

2. Recommendation

- 2.1 Cabinet are requested to recommend to Council the adoption of this Joint Safeguarding Children and Young People Policy and Guidance.

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3. How will the recommendations help us meet our strategic priorities?

- 3.1 Local authorities have a statutory responsibility to safeguard children and young people. The joint policy also contributes directly to elements of the Forest Heath Strategic Plan namely Community Development and Being an Effective and Efficient Council and the St Edmundsbury Corporate Plan namely Strong, Healthy and Diverse Communities and being an Efficient Council.

4. Key issues

Children Act 2004

- 4.1 The joint policy enables FHDC and SEBC to fulfil their statutory obligations under the Children Act 2004 by establishing effective arrangements to safeguard and promote the welfare of children and young people. The features of effective arrangements under the Children Act 2004 are:

- Senior management commitment to the importance of safeguarding and promoting children's welfare.
- A clear statement of the agency's responsibilities towards children available for all staff.
- A clear line of accountability within the organisation for work on safeguarding and promoting the welfare of children.
- Service development that takes account of the need to safeguard and promote welfare and is informed, where appropriate, by the views of children.
- Staff training on safeguarding and promoting the welfare of children for all staff working within or in contact with children and families.
- Safe recruitment procedures in place.
- Effective inter-agency working to safeguard and promote the welfare of children.
- Effective information sharing.

Suffolk Safeguarding Children Board (SSCB)

- 4.2 A key function of a Safeguarding Children Board, is to "monitor and evaluate what is done by the Local Authority and board partners individually and collectively to safeguard and promote the welfare of children and advise them on ways to improve"; and, that they should "have a particular focus on ensuring that those key people and organisations that have a duty under Section 11 of the Children Act 2004 are fulfilling their statutory obligations about safeguarding and promoting the welfare of children.

- 4.3 In April 2012, officers from both FHDC and SEBC presented jointly the findings of their Section 11 audits to the SSCB. Although happy with the progress of both Councils individually, the board highlighted organisational change as a risk and suggested that to avoid confusion or uncertainty, a joint policy be drafted to align with the emerging shared staff structure.

Protection of Freedoms Act – May 2012

- 4.4 In December 2012, the Criminal Records Bureau (CRB) and the Independent Safeguarding Authority (ISA) will merge into the Disclosure and Barring Service (DBS). This new organisation will provide a joined up, seamless service to combine the criminal records and barring functions. Further legislative changes will come into force during 2013 and 2014.
- 4.5 It is important that necessary actions following the implementation of the legislation changes are incorporated into the Policy. As such it is suggested that the Policy is reviewed on an annual basis.

Training

- 4.6 FHDC and SEBC jointly deliver internal training to public facing staff. The three hour Introduction to Safeguarding Training is quality assured by SSCB. There are discussions taking place on the introduction of an on-line training package for all staff, and the development of training for councillors.

Communication

- 4.7 It is essential that staff are made aware of the joint policy and reminded of their responsibilities. As such it is suggested that the new Head of Housing for "West Suffolk" takes on the responsibility as "designated officer" and that two deputy officers are then appointed. Once these officers have been appointed, their contact details will be added to the policy which will then be widely circulated and made easily accessible on the intranet. It is also suggested that leaflets are placed in wage slips and posters strategically placed throughout FHDC / SEBC buildings to bring to the attention of staff the changes in policy and contacts.

Safeguarding Vulnerable Adults

- 4.8 The process of developing a Joint Safeguarding Children and Young People Policy has identified a gap in the way in which both FHDC and SEBC raise awareness, provide guidance and refer onwards any concerns about the abuse of vulnerable adults. Previously FHDC have included this in an inclusive Safeguarding Policy but it is timely to review this issue and as such officers will work with colleagues at Suffolk County Council to draw up the appropriate policy and procedures.

5. Other options considered

- 5.1 None.

6. Community impact

6.1 Crime and disorder impact *(including Section 17 of the Crime and Disorder Act 1998)*

6.1.1 Failure to comply with the legislation could leave the authorities open to potential legal challenge.

6.2 Diversity and equality impact *(including the findings of the Equality Impact Assessment)*

6.2.1 Equality Impact Assessments are part of the legal duties set out in the Race Relations Amendment Act and are included under the new Disability Equality duty and Gender Equality duty. An Impact Assessment is a proactive step to ensure wherever possible preventative measures are taken to avoid discrimination or unfairness on any grounds before it occurs.

6.2.2 An Equality Impact Screening will be undertaken to assess if this policy, including how it is delivered or implemented, could result in less favourable treatment of some groups, and how this could be mitigated.

6.3 Sustainability impact *(including completing a Sustainability Impact Assessment)*

6.3.1 None associated with this report.

6.4 Other impact *(any other impacts affecting this report)*

6.4.1 None associated with this report.

7. Consultation *(what consultation has been undertaken, and what were the outcomes?)*

7.1 Consultation has taken place internally with the Head of Service for Human Resources and Corporate Development along with consultation with the Suffolk Safeguarding Children Board.

8. Financial and resource implications *(including asset management implications)*

8.1 Borough and District councils have previously paid £10,000 per annum to Suffolk Safeguarding Children Board to be members of the network. FHDC have reduced this to £8,000 for 2012/2013 to reflect that SSCB no longer directly deliver training for staff. The SEBC contribution remains £10,000. It is envisaged that this will be standardised once a shared staff structure is in place.

9. Risk/opportunity assessment *(potential hazards or opportunities affecting corporate, service or project objectives)*

Risk area	Inherent level of risk (before controls)	Controls	Residual risk (after controls)
	High/Medium/Low		High/Medium/Low
Councils fail to protect vulnerable children and are judged to be negligent.	Low	Policy, procedures and training in place.	Low
SSCB increase annual fees which can not be met resulting in reduction in support and quality assurance of training.	Medium	Annual review of arrangements and budget with SCCB - ensure key staff are provided with the skills required to provide in house training.	Low

10. Legal and policy implications

10.1 This policy demonstrates FHDC's and SEBC's arrangements for safeguarding, as required under the Children Act 2004.

11. Ward(s) affected

11.1 All.

12. Background papers

12.1 None.

13. Documents attached

13.1 Appendix 1 – Draft Joint Safeguarding Children and Young People Policy and Guidance.