

**NEWCASTLE-UNDER-LYME BOROUGH COUNCIL**

**REPORT TO CABINET**

**Date: 5<sup>TH</sup> FEBRUARY 2014**

**Title:** Safeguarding Children and Vulnerable Adults Protection Policy

**Submitted by:** Sarah Moore

**Portfolios:** Safer Communities and Stronger and Healthier Neighbourhoods

**Ward(s) affected:** All

**Purpose of the Report**

To advise Cabinet of the role of the Borough Council in safeguarding children and vulnerable adults.

To seek Cabinet approval for the adoption of the Safeguarding Children and Vulnerable Adults Protection Policy in Newcastle-under-Lyme.

**Recommendations**

To approve the Safeguarding Children and Vulnerable Adults Protection Policy for introduction and delivery in the Borough.

**Reasons**

The Children Act (1989) and (2004) and the Safeguarding Vulnerable Groups Act (2006) place statutory duties on District Councils to make arrangements to ensure that in discharging their functions they have regard to the need to safeguard and promote the welfare of children and vulnerable adults.

The statutory guidance *Working together to safeguard children: a guide to inter agency working to safeguard and promote the welfare of children (2013)* provides core legislative requirements regarding the expectations of the role of District Councils working alone or in partnership with other organisations.

**1. Background**

1.1 Safeguarding children can be defined as *“The process of protecting children from abuse or neglect, preventing impairment of their health and development, and ensuring they are growing up in circumstances consistent with the provision of safe and effective care that enables children to have optimum life chances and enter adulthood successfully”*

1.2 Safeguarding vulnerable adults can be defined as protecting vulnerable adults from abuse or neglect and putting systems in place to prevent abuse or neglect from happening in the future.

- 1.3 The Children Act 2004 requires each local authority to establish a Local Safeguarding Children Board (LSCB) made up of representatives from the agencies and bodies which have regular contact with children or have responsibility for services to them (or their families) in the local area.
- 1.4 As a statutory authority providing services in the community to children and their families the Borough Council is required to co-operate in the establishment, operation, and participation of the LCSB and is a member of the Staffordshire Safeguarding Children's Board (SSCB), which became operational in April 2006. The Borough Council also has a legal responsibility to safeguard, promote wellbeing and protect children and vulnerable adults when discharging our functions.
- 1.5 The Borough Council participates in the District Safeguarding Sub Group (for Children and Vulnerable Adults) and has co-ordinated the creation of the Safeguarding Children and Vulnerable Adults Protection Policy, in partnership with the Staffordshire County Council.
- 1.6 The Policy seeks to help protect all children and vulnerable adults living in our communities and to support the Borough Council, its staff, elected members and volunteers.
- 1.7 In line with the legal responsibilities from Section 11 of the Children Act 2004, the Council has undertaken an audit to ensure that in discharging our functions we have regard to the need to safeguard and promote the welfare of children. The audit assessment gave the Council the opportunity to highlight areas of strength and to identify areas for further development.
- 1.8 The Council needs to ensure that it has robust mechanisms in place in order to appropriately co-ordinate Safeguarding activity in the Borough. The following individuals have been identified to champion Safeguarding within our organisation;
  - Portfolio Holder - Cllr Tony Kearon
  - Executive Manager - John Sellgren (Chief Executive)
  - Head of Service - Mark Bailey (Business Improvements and Partnerships)
  - Designated Child and Vulnerable Adult Protection Officer - Sarah Moore (Partnerships Manager).
  - Deputy Designated Child and Vulnerable Adult Protection Officer – Catherine Fox – Community Safety Officer (DV Lead)
- 1.9 The Council intends to identify an Officer from each service area, to act as 'Safeguarding Champions'. These Officers will receive specialist training in this area and will be the point of contact for queries in relation to Safeguarding in their Department. They will assist the Designated Officer to ensure that all staff are trained appropriately to recognise Safeguarding issues and know where to refer concerns in relation to children and vulnerable adults in our communities.

**2. Issues**

2.1 The Safeguarding Children and Vulnerable Adults Protection Policy and supporting procedure are based on the following principles;

- The welfare of children and vulnerable adults is the primary concern.
- All children and vulnerable adults irrespective of their age, culture, disability, gender, language, racial origin, socio-economic status, religious belief and/ or sexual orientation have the right to protection from abuse and harm.
- It is everyone's responsibility to report any concerns about abuse in order that prompt action be taken if required.
- All incidents of alleged poor practice, misconduct and abuse will be taken seriously and responded to swiftly and appropriately.
- All personal data will be processed in accordance with the requirements of the Data Protection Act 1998.

2.2 In order to effectively deliver the principles in 2.1 (above) the Borough Council needs to be able to demonstrate;

- Senior management commitment
- A clear statement of the Council's responsibilities towards children and vulnerable adults, available for all staff
- A clear line of accountability within the organisation for work on safeguarding and promoting the welfare of children and vulnerable adults
- Safe recruitment procedures
- Training on safeguarding for all staff working with or in contact with children and families and vulnerable adults
- Effective inter agency working
- Effective information sharing

**3. Options Considered**

3.1 Two options were considered;

- To recommend to Cabinet the approval and introduction of the District Safeguarding Children and Vulnerable Adults Protection Policy in the Borough (Recommended)
- To recommend to Cabinet that the approval and introduction of District Safeguarding Children and Vulnerable Adults Protection Policy should be rejected – thereby placing both the organisation, its key stakeholders and children at risk of harm (Not Recommended)

**4. Proposal and Reason for Preferred Solution**

4.1 That Cabinet approve the adoption and introduction of the Safeguarding Children and Vulnerable Adults Protection Policy in the Borough.

- 4.2 Reasons for the preferred solution include:
- 4.2.1 Officers have been involved in the development of the Policy with Officers from Staffordshire Safeguarding Childrens Board (SCCB) to ensure that the Policy is suitable for adoption and introduction in the Borough.
  - 4.2.2 The Council needs to ensure that it has robust mechanisms in place in order to appropriately co-ordinate Safeguarding activity in the Borough.
  - 4.2.3 The Children Act (1989) and (2004) and the Safeguarding Vulnerable Groups Act (2006) place statutory duties on District Councils to make arrangements to ensure that in discharging their functions they have regard to the need to safeguard and promote the welfare of children and vulnerable adults.
  - 4.2.4 The statutory guidance '*Working together to safeguard children: a guide to inter agency working to safeguard and promote the welfare of children (2013)*' provides core legislative requirements regarding the expectations of the role of District Councils working alone or in partnership with other organisations.

## **5. Outcomes Linked to Corporate Priorities**

- 5.1 The Safeguarding Children and Vulnerable Adults Protection Policy contributes to meeting the Council's Corporate Priority for Creating Healthy and Active Communities and Creating a Cleaner, Safer and Sustainable Borough.

## **6. Legal and Statutory Implications**

- 6.1 The Council has statutory duties under the Children Act (1989) and (2004) and the Safeguarding Vulnerable Groups Act (2006) to make arrangements to ensure that in discharging functions we have regard to the need to safeguard and promote the welfare of children and vulnerable adults.
- 6.2 The statutory guidance '*Working together to safeguard children: a guide to inter agency working to safeguard and promote the welfare of children (2013)*' provides core legislative requirements regarding the expectations of the role of District Councils working alone or in partnership with other organisations.

## **7. Equality Impact Assessment**

- 7.1 An Equality Impact Assessment is being developed for this area of work.

## **8. Financial and Resource Implications**

- 8.1 There are no specific financial implications or commitments required for the adoption of the Policy.
- 8.2 There are resource implications for Council Officers and Members who are involved in and will co-ordinate safeguarding activity, in particular delivering and participating in training on the Policy and Procedure and making appropriate referrals, signposting and promoting the Policy and safeguarding activity thereafter.

## **9. Major Risks**

- 9.1 Failure to take appropriate action regarding safeguarding may result in the Council being unable to perform its statutory duties, leaving the Council open to legal challenge.

- 9.2 There is also a risk of reputational damage to the Council if it does not deliver its statutory duties lawfully and effectively.

**10. Key Decision Information**

- 10.1 The Council has statutory duties to safeguard, promote wellbeing and protect children and vulnerable adults.

- 10.2 This report can be considered key in the following ways: -

- It results in the Borough Council committing existing resources for the function to which the decision relates and;
- To be significant in terms of its affects on communities living or working in an area comprising two or more electoral wards in the Borough

**11. Earlier Cabinet/Committee Resolutions**

- 11.1 None

**12. List of Appendices**

Appendix 1 - Safeguarding Children and Vulnerable Adults Protection Policy 2014.