

REPORT TO THE SCRUTINY PANEL for PEOPLE
Date 1st March 2012

Status: For Discussion
Title: New separated Children and Young People's Safeguarding Policy and Adults in Need of Safeguarding Policy
Originator: Stella Renwick, Children's Rights Co-ordinator
Where from: Leisure
Where to next: Executive

Objective: The report will outline the reason for the review of the Leicestershire District and Borough Councils Children and Vulnerable Adults Safeguarding Policy and Procedures and the propose adoption of two separate policies – Children's Safeguarding Policy and Procedures, and Adults in Need of Safeguarding Policy and Procedures

1. Outcome sought from Panel

- 1.1 Consideration and comment on the two new separated Policies and Procedures. Comments will be forwarded to the Executive when it considers adoption of the Policies and Procedures.

2 Background

- 2.1 The Council adopted the Safeguarding Children and Vulnerable Adults Policy on 8th September 2008 as part of a countywide District Councils development to have one common policy from which all Councils would work. This was in order to ensure that all District Council Safeguarding policies in Leicestershire met the requirements of the Children Act 2004 appropriately. Sharing a common policy means simplification and a sharing of expertise when there is need for review and revision, and a common understanding of implementing best practice across all Districts. The latest revision in March 2010 was approved by the HDC Executive.
- 2.2 The development of two new separate policies and set of procedures for children and adults in need of safeguarding was organised through the District Implementation Group (DIG), for the Leicestershire Children and Young People Plan, which is chaired and hosted by Simon Jones, Hinckley and Bosworth Borough Council. HR departments and Officers responsible for Children and Young People's services, as well as those responsible for safeguarding adults, within each District or Borough Council in Leicestershire contributed to the development of the separated policies. Guidance for the policy development was received from the Leicestershire and Rutland

Safeguarding Adults Board and the Leicestershire, Leicester and Rutland Local Safeguarding Children Board.

- 2.3 The rationale behind separating the policies is that more specific legislation is available to children's safeguarding than to adults, and it was felt the combined policy was confusing in trying to combine the two legislative areas. Separate policies now clearly outline the key legislative support to each group
- 2.4 Additionally, there are some specific categories of abuse that apply to adults in need of safeguarding which do not apply in children's safeguarding. Combining these in one document was felt to be confusing.
- 2.5 The Procedures associated with the policies are also quite distinct in terms of specific considerations of safeguarding practices in relation to the two different groups. It was felt a separate Adults in Need of Safeguarding Procedure was needed.

3 Points for discussion

- 3.1 Consider the content of the two new policies and procedures in view of the safeguarding duties of HDC in relation to the Children's Act 2004, and the government guidance "Working Together to Safeguard Children" (DFE 2010), and the 'No Secrets' guidance (Department of Health, 2000)

4 Equality Impact Assessment Implications/Outcomes (attach completed EIA)

- 4.1 The Equality Impact Assessment has been fulfilled at a County level.

5 Impact on Communities

- 5.1 Modern safeguarding practice contains both protection and promotion elements. In any activities or services organised or promoted by HDC, safeguarding should be a central concern and this emphasis should be clearly communicated to partners. The phrase "Everybody's Business" has been used in national promotional campaigns to highlight the individual responsibility of everyone in the community to be alert to the possibility of abuse of children and young people, and to take appropriate action if it is suspected. Staff at HDC are trained to be alert both in work time, and outside of work time.

6 Legal Issues

- 6.1 The Children Act 2004 is the latest legislation to support the protection and support of children and young people. It enshrines the Every Child Matters green paper – a direct response to the inquiry into the failures that resulted in the death of Victoria Climbié. Section 11 of this Act sets out the District Council's responsibilities to ensure they safeguard and promote the welfare of

children and young people. The purpose of this section is to create an organisational culture and ethos of safeguarding. Section 10 sets out the duty to share information between relevant professionals and agencies.

- 6.2 Guidance is available through the key government texts – “Working Together to Safeguard Children” (DfES 2006 (revised 2010)), and “Statutory Guidance on making arrangements to safeguard and promote the welfare of children under section 11 of the Children Act 2004”.
- 6.3 Guidance relating to adults in need of safeguarding is available through the Department of Health “No Secrets” (2000). A variety of other legislation impacts on adults in need of safeguarding, but there is not one single act of a similar nature to the Children Act 2004.

7 Resource Issues

- 7.1 The Children’s Rights Co-ordinator is responsible for managing the ongoing development of the Children and Young People’s Safeguarding Policy in conjunction with the DIG County group, which reports to the County Children and Young People’s Executive. This post is also responsible for updating TEN with safeguarding development actions within annual Team Plans, which include training programme development and delivery, support of DSO’s, monitoring of Incidents, and promotions of staff safeguarding responsibility. 5 hours weekly has been allocated to safeguarding children and young people at HDC since May 2011. There is no specific officer at HDC assigned to issues relating to adults in need of safeguarding, and no designated link to County Council bodies responsible for this area of work.

8 Community Safety Implications

- 8.1 Within the body of the report – Safeguarding is an element of a wider community safety agenda.

9 Carbon Management Implications

- 9.1 Where possible the training courses make use of electronic resources to save reduce carbon footprint. Training is held during normal working hours to reduce staff travel requirements. Documents are available on the intranet so there is no waste from revisions. E-learning options are being explored.

10 Risk Management Implications

- 10.1 HDC must fulfil its statutory duty in relation to the Children Act 2004 as detailed in the above report and be responsive to changes in legislation relating to Safeguarding, and any legislation relating to adults in need of safeguarding. Significant harm to the Council reputation could result if there was a failure to follow the safeguarding procedure that resulted in a local tragedy, or if system inadequacy was identified through the County-wide Ofsted inspection of children’s services.

11 Consultation

- 11.1 As the consultation took place at a County level during the policies development period, with input from the two Safeguarding Boards via the District Implementation Group, further District consultation was not considered necessary, and this was approved by the HDC Safeguarding Strategy Group.

12 Background Papers

(Appendix G has been included for comparison purposes only)

Previous report(s): Y

Review of Children and Vulnerable Adults Safeguarding Policy and Action Plan considered by Scrutiny Panel People on 20th May 2010.

Information Issued Under Sensitive Issue Procedure: N

Appendices:

A. Leicestershire District and Borough Councils' Children and Young Person's Safeguarding Policy (Children's Safeguarding Policy - v. Jan 2012.doc)

B. Leicestershire District and Borough Councils' Children and Young Person's Safeguarding Guidelines (Children's Safeguarding Policy Procedures - v. Jan 12.doc)

C. Leicestershire District and Borough Councils' Adults in Need of Safeguarding Policy (Adults in Need of Safeguarding Policy Jan 2012.doc)

D. Leicestershire District and Borough Councils' Adults in need of Safeguarding Guidelines (Adults in need of Safeguarding Guidelines - v. Jan 12.doc)

E. Children and Vulnerable Adults Safeguarding Policy and Procedures - March 2010 (Children and Vulnerable Adults Safeguarding Policy - v. March 2010.doc)

F. Action Plan for Safeguarding April 2011-12 (Action Plans 2010 onwards.xls)