

**CABINET**

**17<sup>th</sup> OCTOBER 2017**

**COUNCILLOR KEN MUSCHAMP  
BUSINESS, SAFETY AND REGULATION  
PORTFOLIO HOLDER**

**REPORT NO. EHH1731**

**KEY DECISION? YES**

## **SAFEGUARDING POLICY AND PROCEDURE**

### **SUMMARY AND RECOMMENDATIONS:**

The attached 'Policy and Procedure for the Safeguarding of Children and Vulnerable Adults' is based on national safeguarding legislation.

This report summarises the guidance and requirements for safeguarding arrangements. It sets out a proposed new 'Policy and Procedure for Safeguarding Children and Vulnerable Adults' for Rushmoor Borough Council.

#### **Recommendation**

Cabinet is asked to approve the adoption of the Policy and Procedure for the Safeguarding of Children and Vulnerable Adults (Appendix 1).

## **1. INTRODUCTION**

- 1.1** The Council is part of the statutory safeguarding role within the wider public sector, with responsibilities to children, young people and vulnerable adults.
- 1.2** The safeguarding policy of the Council is attached at Appendix 1 for Cabinet to recommend its adoption.

## **2. BACKGROUND**

- 2.1** Under the Children Act 1989, Local Authorities, have a general duty to safeguard and promote the welfare of children within their area who are in need (Section 17 Children Act 1989). The Every Child Matters Green paper published in September 2003 proposed changes to policy and legislation in England to maximise opportunities and minimise risks for all children, young people and their families and the Children Act 2004 subsequently came into force in October 2005.
- 2.2** Section 11 of the Children Act 2004 places duties on a range of organisations and individuals to ensure their functions, and any services that they contract out to others, are discharged having regard to the need to safeguard and promote the welfare of children.

**2.3** The duty under Section 11 of the Children Act 2004 is placed on local authorities and district councils that provide children's and other types of services, including, housing, sport, culture and leisure services, licensing authorities and youth services. Section 11(2) of the Children Act 2004 provides:

*“Each person and body to whom this section applies must make arrangements for ensuring that their functions are discharged having regard to the need to safeguard and promote the welfare of children”*

In discharging this duty the council has to have regard to any guidance given to them for the purpose by the Secretary of State.

**2.4** The most recent statutory guidance that has been produced on safeguarding children is the updated Working Together to Safeguard Children which came into force in April 2013. This simplifies previous guidance documents and clarifies the responsibilities of professionals towards safeguarding children. Most of the responsibilities and procedures remain the same and include the need for arrangements that reflect:

- A clear line of accountability for the commissioning and/or provision of services designed to safeguard and promote the welfare of children;
- a senior level lead to take leadership responsibility for the organisation's safeguarding arrangements;
- a culture of listening to children and taking account of their wishes and feelings, both in individual decisions and the development of services;
- arrangements which set out clearly the processes for sharing information, with other professionals and with the Local Safeguarding Children Board;
- a designated professional lead for safeguarding.
- safe recruitment practices for individuals working regularly with children, including policies on when to obtain a criminal record check;
- appropriate supervision and support for staff, including undertaking safeguarding training;
- clear policies for dealing with allegations against people who work with children.

**2.5** In addition to these Section 11 duties, further safeguarding duties are also placed on individual organisations through other statutes such as Part 1 of the Housing Act 2004.

**2.6** There is a legal requirement on districts and boroughs to have vulnerable adults safeguarding arrangements in place or to report suspected abuse of adults under the Care Act 2014. Related guidance is available in the form of

the Care Act Statutory Guidance, the Department of Health 'No Secrets' 2000 guidelines (revised in 2010) and the Government's Statement of Government Policy on Adult Safeguarding, 2013.

- 2.7** Whilst it is recognised that different issues must be taken into account when dealing with cases of abuse, common principles apply. The work of the council brings it into contact with vulnerable people of all ages and it has a role in supporting vulnerable adults who are unable to take their own decisions and or protect themselves and their assets.
- 2.8** This Policy can be linked to supporting and empowering our communities and meeting local needs.

### **3 DETAILS OF THE PROPOSAL**

#### **General**

- 3.1** The draft policy (Appendix A) sets out the council's commitment to safeguarding the welfare of children and vulnerable adults, including main principles and associated responsibilities.
- 3.2** Recognising the various types of abuse and reporting concerns is critical. The various types of abuse are defined in section 5 of the draft policy. It is not our role to investigate allegations, but we may hold a piece of the jigsaw that helps ensure appropriate action is taken by others.
- 3.3** Key provisions of the guidance are identified within the draft policy. A Safeguarding Referral Process chart is also included as an appendix to the Policy.
- 3.4** A joint safeguarding policy and procedure for children and vulnerable adults been developed due to the fact that the general principles of safeguarding and related information are similar in both cases. Duplication is avoided and the guidance is a more accessible resource to anyone who may need to use it. A number of neighbouring authorities have also developed their policies in this way.

### **4 SAFEGUARDING AUDIT**

- 4.1** The council works in partnership with a range of agencies to safeguard children and vulnerable adults in the borough and is signed-up to Hampshire County Council's 'Multi-agency Agreement'. Hampshire Safeguarding Children Board (HSCB) is responsible for co-ordinating and ensuring the effectiveness of local work to safeguard and promote the welfare of children in Hampshire. To support this role the HSCB conduct an annual Section 11 safeguarding audit to inform overview of current practice and support improvement.

## **5 COMMUNICATION AND CONSULTATION**

- 5.1** All staff are required through induction and periodically thereafter to undertake some safeguarding training. This is largely provided through the councils e-learning modules.
- 5.2** The e-learning training is currently being updated and will be promoted to all staff from the autumn. It will incorporate key elements of the councils safeguarding policy. Further training is available for frontline staff more likely to have contact with vulnerable groups. Awareness training is also available to councillors.
- 5.3** The updated policy will be available to third parties and procurement procedures include the need for contractors to have a safeguarding policy in place that complies with the council's policy and have suitable arrangements in place to ensure compliance with relevant legislation.

## **6 IMPLICATIONS**

### **Risks**

- 6.1** There are significant risks if the Safeguarding Policy and Procedure for Children, Young People and Vulnerable Adults is not approved and adopted. Section 11 of the Children's Act 2004 places a duty to make "arrangements to safeguard and promote welfare" on a range of agencies including Councils. This includes making arrangements to ensure that all Council functions are discharged having regard to the safeguarding and promoting the welfare of children.

A failure to have such a policy and procedures in place will result in the Council being open to legal challenge as the Council will not be complying with the requirements of the Children's Act 2004.

The Policy and Procedure will ensure that there is a focussed effective and joined up approach to Safeguarding Children, Young People and Vulnerable adults in Rushmoor.

Our new policy, procedure and training will strengthen our partnership response to ensure that no child, young person, or vulnerable adult are disadvantaged due to lack of procedure or due to an officer, member or contractors lack of collective responsibilities

### **Legal Implications**

- 6.2** The proposed policy and procedures support the council's obligation in responding to safeguarding related legislation, in particular the Children Act 2004 Section 11 duties and the Care Act.

## **Financial and Resource Implications**

- 6.3** There are no new financial implications arising from the recommendations of this report. It is expected that any resource demands arising from the policy will be met from within existing council budgets.

## **Equalities Impact Implications**

- 6.4** This Policy will provide additional support helping children, young people and vulnerable adults and will ensure that their specific needs are addressed and considered. The Policy and Procedure will ensure that there is focussed effective and joined up approach to Safeguarding in Rushmoor. This will in turn strengthen our partnership response to ensure that no child, young person or vulnerable adult is disadvantaged due to lack collective responsibility or procedure.

## **HR Implications**

- 6.5** The policy identifies recruitment and training procedures for anyone who works directly with children or vulnerable adults, or may come into regular contact with vulnerable individuals during the course of their work. It also outlines training provision for all staff and provides specific guidance to councillors.

## **7 CONCLUSIONS**

- 7.1** This policy and procedure will provide staff, members and others with a clear understanding of the councils commitment to safeguarding, awareness of the regulations and guidance to ensure best practice is embedded across the work of the council and its partners.
- 7.2** Based on the contents of this report, Cabinet is asked to approve that the Policy and Procedure for Safeguarding Children and Vulnerable Adults be adopted.

## **BACKGROUND DOCUMENTS:**

Policy and Procedure for the Safeguarding of Children and Vulnerable Adults

## **CONTACT DETAILS:**

**Report Author -** Caroline Ryan  
Community Safety Manager  
[Caroline.ryan@communitysafetynh.org](mailto:Caroline.ryan@communitysafetynh.org)  
07967 409447

**Head of Service –** Qamer Yasin  
Head of Housing and Environmental Health  
[Qamer.yasin@rushmoor.gov.uk](mailto:Qamer.yasin@rushmoor.gov.uk)  
01252 398640

# **Rushmoor Borough Council**

## **Policy and Procedure for the Safeguarding of Children and Vulnerable Adults**

**Owner: Community Safety Manager**  
**Version: 3.0**  
**Issued:**  
**Last updated: September 2017**  
**Review date: March 2020**

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## **1 Policy Statement**

Rushmoor Borough Council is committed to safeguarding the welfare of children and vulnerable adults. Safeguarding is about protecting vulnerable people from harm, regardless of their age, gender, disability, race or any other protected characteristic (Equality Act 2010), and promoting the prevention of impairment.

The council undertakes a wide range of services through which council employees, councillors and volunteers may encounter vulnerable people during the course of their work. Although the extent and frequency of contact varies, everyone has a responsibility to recognise and respond to safeguarding issues and must be aware of this policy and procedure. Services that are identified as having contact include, but are not limited to: Community Safety, housing and homelessness prevention, benefits, home visits, licensing premises and taxis, supporting local voluntary and community groups, building control, electoral registration canvassers, CCTV, environmental health, front desk and call centre staff.

The senior responsible officer for safeguarding is the Head of Service for Environmental Health and Housing. On a day-to-day basis, the main point of contact for raising safeguarding issues is the Designated Safeguarding Officer. The Council has also identified individuals to act as Safeguarding Champions across the organisation who are able to offer information and advice when concerns are raised.

This policy is compliant with the Children Act 2004, the Care Act 2014 and associated guidance. The council works in partnership with a range of agencies to safeguard children and vulnerable adults in the borough, including the Hampshire Children and Adults Safeguarding Boards, and is signed-up to Hampshire County Council's Multi-agency Agreement.

The Counter Terrorism and Security Act 2015 places a duty on specified authorities in the exercise of their functions to have due regard to the need to prevent people from being drawn into extremism and terrorism. Prevent is included as part of our safeguarding responsibilities in accordance with guidance.

This policy will be made available to all employees, councillors and volunteers and training will be provided commensurate with roles and is mandatory for all staff and councillors on induction. Hard copies of the policy are available in councillors' group rooms and on request.

## **2 Aims and Review**

The main aim of this policy is to put the council's legal and moral commitment to safeguarding into practice, and to act as a guide for employees, councillors, volunteers and third party agencies on how to deal with safeguarding concerns. It outlines the council's approach to safeguarding vulnerable people, roles and responsibilities and the procedure for raising concerns. It also includes guidance on best practice when working with vulnerable people to ensure that, where possible, no one is placed in situations where abuse by them might be alleged.

This policy will be reviewed every three years or when there is a significant change in relevant legislation/to RBC procedures. The council's approach to safeguarding is subject to annual audit by the local safeguarding Boards.

### **3 Scope**

The scope of this policy is in respect of this council's responsibility towards:

- Children and young people legally defined as any person under the age of 18.
- Vulnerable adults – The Care act refers to an 'adult at risk of abuse or neglect with care and support needs'
- council employees who will come into contact with children or vulnerable adults during the course of their work
- councillors when on council business
- volunteers who are performing a task or duty at the request of , or on behalf of the borough council
- contractors when carrying out work on the council's behalf
- the policy covers all functions and services of the council.

Safeguarding and promoting the welfare of children and young people is defined as:

- protecting children from maltreatment
- preventing impairment of children's' health or development
- ensuring that children are growing up and living in circumstances consistent with the provision of safe and effective care
- undertaking that role so as to enable children to have optimum life chances

Adult safeguarding is defined as

- safeguarding is aimed at adults with care and support needs who may be in vulnerable circumstances and at risk of abuse or neglect
- protecting an adults right to live safely, free from abuse and neglect

### **4 Responsibilities**

Responsibility for the implementation of this policy lies at all levels of the council: Strategic Leadership, Cabinet, councillors, heads of service, managers, all employees, contractors and volunteers. Main responsibilities include:

- providing clear procedures to staff, councillors and vulnerable groups relating to voicing concerns about issues they may feel unhappy or unsure about
- sharing information with the appropriate agencies
- ensuring that all staff are appropriately trained and supervised
- ensuring all staff are recruited following recommended procedures
- ensuring that all staff coming into regular contact with vulnerable individuals are Disclosure and Barring Service (DBS) checked
- promoting protection issues to grant recipients, partners and service providers.

The Designated Safeguarding Officer, Head of Housing and Environmental Health, has the responsibility to:

- provide advice and information relating to safeguarding concerns
- receive and record information from employees, councillors, volunteers, children, vulnerable adults or parents and carers who have safeguarding concerns
- assess the information promptly and carefully, clarifying or obtaining more information about the matter as appropriate
- ensure a formal referral to a statutory agency or the police has been made without delay and ensure the proper transfer of information relating to dealings with children and vulnerable adults, where necessary
- ensure appropriate training is available for employees, councillors, and volunteers.
- be aware of the local child and vulnerable adult protection networks, the role of the Hampshire Safeguarding Children Board and The Hampshire Safeguarding Adult Board and the existence of local safeguarding procedures.

**Remember it is not up to you to decide if abuse has taken place, that is the role of Hampshire County Council's Children and Adult Services, however, it is your responsibility to report any concerns you may have. RBC has a duty of care to respond to any concerns to ensure the appropriate action can be taken. When raising a concern, a sense of proportion should be maintained and common sense applied to situations. The main priority must be to safeguard the welfare of the vulnerable person involved.**

## **5 Types and indicators of abuse**

Abuse can occur anywhere, at an individual's home, at another address, via the internet, in residential homes, education or day care settings or public spaces. Abusers equally can be anyone, relatives, family members, professional staff, care workers, volunteers, other service users, neighbours, friends and associates, people who exploit the vulnerable, strangers and organised or linked networks.

Abuse is a form of maltreatment. A child or vulnerable adult can be abused or neglected because they are being harmed or because no-one is preventing that harm from being caused. Abuse is categorised but an individual who is being abused is likely to experience a number of these abuses, for example, a child who is being neglected is also a victim of emotional and physical abuse.

The following definitions have been taken from a range of safeguarding guidance and legislation including Working Together to Safeguard Children 2015 and No Secrets 2015.

### *Physical Abuse*

May involve causing pain, injury or impairment by behaviour such as: hitting, slapping, pushing, kicking, misuse of medication, restraint, inappropriate

sanctions, shaking, throwing, poisoning, burning, scalding, malnutrition, dehydration or any other acts causing physical harm or illness.

#### *Emotional Abuse*

The persistent emotional maltreatment of a person, such as to cause severe ongoing adverse effects on a person's emotional development and well being. This may involve threats of harm, controlling, intimidation, coercion, harassment, verbal abuse and isolation from supportive networks.

#### *Sexual Abuse*

Involves forcing/enticing a child or vulnerable adult to take part in sexual activities including; prostitution, rape, sexual harassment, subjection to pornography or witnessing sexual acts, indecent exposure, sexual assault or sexual acts to which consent has not been given or has been given under duress, sexual photography, inappropriate touching, sexual teasing or innuendo. This abuse includes children who are victims of Child Sexual Exploitation (CSE) or are missing or being trafficked.

#### *Neglect*

Persistent failure to meet the basic, psychological and/or emotional needs of a child or vulnerable adult. This abuse includes; ignoring medical or physical care needs, failing to provide access to appropriate health/social care, welfare benefits or educational services, withholding necessities of life such as medication, adequate nutrition and heating. Neglect to a baby may occur in utero as a result of maternal alcohol or substance misuse.

#### *Domestic Abuse*

An incident or pattern of incidents of controlling, coercive, threatening, degrading and violent behaviour, including sexual violence. In the majority of cases this abuse is perpetrated by a partner or ex-partner but also by a family member or carer.

#### *Financial Abuse*

This abuse is specific to vulnerable adults and does not affect children. The abuse includes, theft, fraud, pressure in connection with wills, property of inheritance or financial transactions, misuse or misappropriation of property, money, possessions or benefits.

#### *Honour Based Violence*

Honour based violence is a violent crime or incident which may have been committed to protect or defend the honour of the family or community. It is often linked to family members or acquaintances who mistakenly believe someone has brought shame to their family or community by doing something that is not in keeping with the traditional beliefs of their culture.

#### *Discriminatory Abuse*

This is abuse that affects protected characteristics under the Equalities Act 2010 and include any act aimed specifically at an individual; age, disability, gender reassignment, marriage or civil partnership, pregnancy and maternity, race, religion or belief, sex and/or sexual orientation. This abuse includes; harassment, slurs or similar treatment classed as hate crime.

### *Abuse of Disabled Children / Adults*

Disabled children and adults are at increased risk of abuse and neglect and this risk increases further with the severity of the disabilities as they may; have few social contacts/interactions, be receiving intimate care from a number of individual carers and/or have impaired capacity to protect themselves from abuse through challenge or communication.

### *Forced Marriage*

A marriage in which one or both of the parties is married without his or her consent or against his or her will.

### *Modern Slavery*

Modern slavery, 'trafficking in persons' and 'human trafficking' have been used as umbrella terms for the act of recruiting, harbouring, transporting, providing, or obtaining a person for compelled labour or commercial sex acts through the use of force, fraud or coercion.

### *Female Genital Mutilation (FGM)*

FGM comprises all procedures that involve partial or total removal of the external female genitalia, or other injury to the female genital organs for non medical reasons. FGM is a criminal offence in the UK and is an extremely harmful practice and a form of child abuse and violence against women and girls.

### *Self-neglect, Self-harm or Attempted Suicide*

Self-neglect includes failing to care for one's personal hygiene, health or surroundings and includes hoarding behaviours. Deliberate self-harm is physically harmful behaviour without suicidal intent, resulting in non fatal injury, it is, however, a common precursor to suicide. Attempted suicide is self-harm with intent to take life, resulting in non fatal injury.

### *Institutional / Organisational Abuse*

Institutional or organisational abuse is the mistreatment of people brought about by poor or inadequate care or support, or systematic poor practice that affects a whole setting. It occurs when the individual's wishes and needs are sacrificed for the smooth running of a group, service or organisation.

Indications that an individual may be experiencing abuse could include:

- unexplained or suspicious injuries such as bruising, cuts or burns, particularly if located on a part of the body not usually prone to such injuries
- someone else expresses concern about an individual's welfare
- unexplained changes in behaviour e.g. withdrawn, watchful, over sexualised language
- fear of going home or distrustful towards adults, particularly those with whom they have a close relationship
- difficulty making or keeping friendships, or prevented to socialise
- changes in eating habits including overeating or loss of appetite

- loses weight for no apparent reason or becomes increasingly unkempt

This is by no means an exhaustive list and the presence of one or more of these indicators is not proof that any abuse is or has taken place. Multiple forms of abuse can occur in an abusive service setting to one or more individuals at a time, making it important to look beyond single incidents to underlying dynamics and patterns of harm.

#### *Injuries to non-mobile children*

Unexplained bruising is the commonest indicator of physical abuse in children, however, the significance of bruising is sometimes not recognised in those not yet crawling, cruising or walking independently. NICE guidance states that bruising in any child not independently mobile should prompt suspicion of maltreatment.

## **6 Prevent Duty**

Under the Counter Terrorism and Security Act 2015 a duty has been placed on Local Authorities to:

- provide Prevent training to staff and those contracted to the Council
- recognise and report concerns of radicalisation through safeguarding procedures
- ensure that council owned or controlled building are not used by those engaged in extremist behaviours or spouse extremist views
- take opportunities when new contracts for delivery of services are being made to ensure that the principles of the duty are written in to those contracts in a suitable form
- to work in partnership with other agencies at a County level to provide Channel Panels to challenge ideologies and behaviours of those identified as at most risk of radicalisation

## **7 Referral and reporting safeguarding concerns**

If you have a concern that an individual is at risk of immediate harm or danger then you should dial 999 and report your concerns directly to the police.

If you have a concern that an individual may be a victim of abuse of any kind and would like to discuss your concerns in more detail then you can approach one of the Safeguarding Champions. The Safeguarding Champion will be able to offer you guidance and support in raising your concern. If a safeguarding referral needs to be made to address your concerns then you will be asked to complete a Safeguarding Referral Form (Appendix 1) which can be found on the staff intranet. This form should be completed with as much relevant information as possible and then submitted to the Designated Safeguarding Officer at Community Safety Safeguarding in the online staff address book or to [safeguarding@communitysafetynh.org](mailto:safeguarding@communitysafetynh.org). Allegations of abuse may be subject to criminal proceedings so it is vital that once your concern has been escalated you do not try to intervene further as this could hamper the police investigation.

## 7.1 Disclosure

This is when a child or vulnerable adult (or someone associated with them), tells you something that raises a concern that abuse is or may have happened. The different types of abuse are outlined in Section 5. Disclosure can be defined as either:

- Full disclosure: where an individual gives you the whole story of what is happening to them including the name of the abuser/s.
- Partial disclosure: where an individual tells you only that “something” is happening to them. They may not say who or what, and may not say any more.

A disclosure can be deliberate or made as part of a normal conversation. Either way it must be reported.

During a disclosure by a victim of abuse **you should:**

- stay calm and listen patiently
- reassure the person they are doing the right thing by telling you
- ask clarifying questions to ensure that your understanding is the same as the individual making the disclosure
- make the individual affected aware of the need to pass on any information they tell you, and that ‘secrets’ cannot be kept
- explain what you are going to do with the information, and who it will be shared with
- try to ensure the disclosure area is kept confidential and that it is not possible for anyone else to hear
- attempt to make a written note of what is being said as soon as possible (this note should be kept for use as potential evidence in subsequent legal proceedings).

**You should not:**

- ask leading questions, appear shocked, horrified, disgusted or angry.
- press the individual for details (it is not your duty to undertake the investigation).
- make comments or judgements other than to show concern.
- promise to keep secrets or confront the abuser.
- risk contaminating evidence.

## 7.2 Reporting a safeguarding concern

Advise the Designated Safeguarding Officer immediately after the issue is identified:

- record the full conversation about the disclosure or suspicion of abuse on the Child/Vulnerable Adult Safeguarding Referral Form, detailing as much as possible of what the person said, and their behaviour whilst disclosing.
- only language used by the individual should be used, and assumptions in your own words should not be made
- ensure that the form is completed fully and sent to the Designated Safeguarding Officer ([safeguarding@communitysafetynh.org](mailto:safeguarding@communitysafetynh.org)) as soon

as possible (preferably within 24 hours). It will then be passed to Children/Adult Services within 48 hours.

The referral form contains confidential information that is subject to the Data Protection Act 1998. The form can either be submitted through a designated email address or handed to the Designated Safeguarding Officer (Community Safety Manager), copies should not be retained by the referrer. The Designated Safeguarding Officer will create a record of the individual on SafetyNet, upload the referral form once it has been submitted to the Multi Agency Safeguarding Hub (MASH) and then close the record. No one else will be able to view this record unless it relates to an ongoing case and it is appropriate to share this information in the interests of safeguarding all (including staff) concerned.

In the event of a concern being raised out of normal office hours, contact can be made directly with;

- Children /Adult Services on telephone number 0300 555 1373

this must be followed up with a completed referral form being submitted to the Designated Safeguarding Officer within 48 hours.

A social worker from Children/Adult Services will assess the information to determine whether a formal investigation should commence, and may contact you directly for further information. You may also be contacted by the Police.

### 7.3 Procedure in the event of an allegation made against a staff member

Anyone who suspects that a member of the council's staff may be abusing a child or vulnerable adult must act on their suspicions immediately. This will not only protect vulnerable individuals but also colleagues from false accusations. Everyone must understand that allegations made against a member of staff will be dealt with seriously and may have far reaching consequences.

If you are a member of staff and have concerns about the behaviour or conduct of a member of staff or other adult working on behalf of the council:

- it must be treated in the strictest confidence.
- details must be recorded immediately and information discussed with HR.
- if necessary, appropriate action will be taken to remove the child or vulnerable adult from immediate danger. This could mean, in serious cases, the head of service responsible for the individual (in consultation with HR) asking the employee to go home whilst an investigation is conducted.
- HR must telephone the Local Authority Designated Officer (LADO) without delay to notify them of the concern which has been raised and to seek advice on the way forward. The LADO can be contacted on 01962 876364 or by email at [child.protection@hants.gcsx.gov.uk](mailto:child.protection@hants.gcsx.gov.uk). If required, the LADO will send the Head of HR a LADO Notification Form to complete and return without delay.
- HR will investigate whether the allegation is due to poor practice in delivery of the service (i.e. the principles of this policy have not been applied in the planning and delivery of services) or whether there is

deliberate non-compliance by the employee with regard to the approved policies and procedures. If poor practice is highlighted, the service manager will be responsible for improving procedures.

- if the matter relates to deliberate non-compliance, HR will decide the next course of action or refer it to the Designated Safeguarding Officer.
- if it is deemed necessary to suspend an employee it is essential to follow the guidance given under the Disciplinary Policy.
- if you do not work for the council and have concerns about the behaviour or conduct of a member of council staff contact the council's HR on 01252 398421.

The council's Whistleblowing Policy also allows staff to raise serious concerns in strict

Confidence. This policy is intended to encourage staff to raise serious concerns within the council rather than ignoring a problem.

#### **7.5 Procedure in the event of an allegation made against a councillor**

Anyone who suspects that a councillor may be abusing a child or vulnerable adult should immediately notify the Monitoring Officer for the Council.

## **8 Confidentiality, record keeping and complaints**

### **8.1 Confidentiality**

The right of a child or vulnerable adult to be protected from harm is paramount. While there are clear rules on confidentiality, if the needs of the individual affected outweigh the need for confidentiality, then the need of the vulnerable person takes precedence. However, where an allegation is made, and whilst it is being investigated, every effort should be made to ensure confidentiality is maintained for all concerned. If enquiries arise from the public (including parents) or any branch of the media, it is essential that all employees, councillors and volunteers are briefed so that they do not make any comments regarding the situation, unless authorised to do so.

### **8.2 Record keeping**

Safeguarding records will be stored on SafetNet, a secure information sharing database which has robust governance and auto archiving functions to ensure that the Data Protection Act 1998 is adhered to. The case on SafetyNet will be locked down to ensure that only those who need to know have access and unless it is a live case it will be opened and closed once the safeguarding referral has been made. If the need arises, the case will be reopened by the Designated Safeguarding Officer for additional information to be added or action taken.

### **8.3 Complaints regarding the council's approach/response to safeguarding issues**

When dealing with complaints, it is important to maintain an open culture. Staff, councillors, volunteers and others must feel able to express concerns about safeguarding issues and issues of poor practice when dealing with vulnerable people. An easy to follow complaints procedure for members of the public regarding

staff is available from the council offices. Guidelines for staff are also available with reference to face-to-face, telephone and written complaints.

## **9 Recruitment and training**

### **9.1 Recruitment**

Through the council's recruitment procedures anyone who works directly with children or vulnerable adults, or may come into regular contact with vulnerable individuals during the course of their work, must have:

- a Disclosure and Barring Service (DBS) check (formerly known as a Criminal Records Bureau (CRB) check).
- their experience of working or contact with children or vulnerable adults fully explored, prior to appointment
- two references obtained from people who have had experience of the applicant's work with children or vulnerable adults (paid or voluntary)
- training in recognising the signs of abuse, in reporting procedures, and in good working practice.

Pre-recruitment checks will always be carried out. This includes conducting a risk assessment for all posts to determine whether or not the post has access to children or vulnerable adults (this will apply regardless of the employment status of the post i.e. permanent, temporary or casual). Job descriptions of staff that are subject to a DBS check will include reference to specific safeguarding responsibilities and where relevant, reference to the 'early help' agenda.

### **9.2 Managing Work Experience**

All young people undertaking work experience with the council and council trainees are

- to be regarded as employees for the purposes of health and safety and they should receive all of the same protection we afford to our own employees.

### **9.3 Training**

The council recognises that it has a commitment to ensure that all staff have a clear understanding of their roles and responsibilities when working with children or vulnerable adults. The training process will help staff to:

- be able to recognise the different signs of abuse, and what appropriate course of action should be taken in these circumstances.
- have an understanding of the potential risks to themselves, and ensure good practice is adhered to at all times.
- recognise signs of improper behaviour from other staff, and take appropriate action.

Managers and supervisors of staff must also have training, even if they themselves do not come into contact with vulnerable groups. All staff will be required to attend interactive training in the above areas.

## **10 Funding and grants**

Where organisations and groups that work with children or vulnerable adults apply to the council for grants, the granting of funds will be subject to a safeguarding policy being in place by the recipient organisation. Guidance to organisations or groups can be provided on adopting a safeguarding policy if needed.

## **11 Hiring facilities to others**

Any hirer who provides activities for children or vulnerable adults is required to adhere to current safeguarding legislation and guidance. When hiring out a Council venue, the Counter Terrorism and Security Act 2015 duty must be observed to ensure that they are not being used by radical speakers or for the purposes of radicalisation.

## **12 Third Party Obligations**

Contractors, sub-contractors and organisations that are commissioned, funded by or working on behalf of the council, that are involved in areas where workers come into regular contact with children or vulnerable adults, must have safeguarding children and vulnerable adult policies in place that comply with the terms of this policy. These organisations must ensure that the correct DBS checks have been carried out for all relevant workers and provide staff with appropriate safeguarding training. All new contracts let by the council, which involve providing services for vulnerable individuals, will include appropriate provisions for complying with the principles of this policy.

## **13. Photography and use of photographic equipment**

If you are organising an event or meeting and would like to take photographs or record a video of activities, please contact the Communications Team at the council to obtain further advice and a Photographic Consent form.

### Legislation and guidance

This policy has been based on current safeguarding legislation and guidance for children and vulnerable adults, including:

- Working together to safeguard children, – A guide to interagency working HM Gov., 2015
- Care Act 2014
- Information Sharing Advice for practitioners, 2015
- The Role of District Councils in Safeguarding Children and Young People, 2010
- National Framework of Standards – adult safeguarding, 2005
- The Children Act 2004 (including provisions and guidance in 2005).
- Every Child Matters Green Paper, 2003
- 'No Secrets' guidance, 2000 (including the revision of this guidance in 2010)
- The Protection of Children Act, 1999

Other related legislation includes: the Data Protection Act 1998, the Equality Act 2010 and the Freedom of Information Act 2000. Further detail on safeguarding legislation can be found by accessing the relevant links on this website:

<http://www.isa.homeoffice.gov.uk/>

## Appendix 2

### Hampshire County Council Multi-Agency Agreement responsibilities

Rushmoor Borough Council has a responsibility to:

- promote awareness of the nature and extent of abuse and of the multi-agency policies for safeguarding children and vulnerable adults
- have an internal safeguarding policy and ensure that it reflects and refers to the multi-agency policies
- take appropriate action wherever abuse is suspected
- promote the safety of service users
- call on emergency services appropriately where there is immediate danger.
- provide opportunities for training on safeguarding children and vulnerable adults for staff.
- assure service users that they will be listened to and make them aware of policies and procedures
- offer appropriate support to those reporting abuse, and to those involved in investigating abuse, and keep records of any incidents/concerns
- commission safe services and ensure effective monitoring of those services as well as having systems in place to take action where services are found to be abusive
- provide comprehensive information on the rights of staff and how employers will respond if abuse is alleged against them. Robust management procedures should be in place for addressing conduct and capability issues.

### Good practice guidelines – ‘Dos and Don’ts’

The following ‘Do’s and Don’ts’ are designed to safeguard children and vulnerable adults and protect staff etc. from situations where false allegations can be made. The lists on the following page are not exhaustive. Some specific posts and activities may need more detailed guidance. If you have any concerns about the appropriateness of any practice or action, contact the Designated Safeguarding Officer.

#### **In the course of their day to day work on behalf of the council, Rushmoor Borough Council councillors, staff, managers, volunteers and anyone who is acting on behalf of the council will ...**

1.	be professional, use common sense, and maintain the highest standards of personal behaviour at all times
2.	ensure all activities undertaken involving any risk to children or vulnerable adults are properly risk assessed and appropriate control measures recorded and implemented
3.	avoid being the only adult in an enclosed room with a young person
4.	treat all children and vulnerable adults with equal dignity and respect
5.	where appropriate, be identifiable – wear a form of identification
6.	respect the child/vulnerable adult’s right to privacy
7.	maintain an appropriate distance and consider placing a physical barrier (e.g.) coat/handbag, between themselves and the child/vulnerable adult
8.	keep the child’s needs first and the outcomes second
9.	obtain written consent for the taking of photos for publicity purposes and when children are to participate in supervised activities and events without the presence of the parents or guardian
10.	if physical contact is necessary for demonstrating skills etc., explain and discuss these actions with the person first

#### **In the course of their day to day work on behalf of the council, Rushmoor Borough Council councillors, staff, managers, volunteers and anyone who is acting on behalf of the council will NOT...**

1.	have inappropriate physical / verbal contact with children and vulnerable adults
2.	discriminate against a child or vulnerable adult on the grounds of their age, gender, disability, race, religious belief, sexual orientation, transgender status or any other protected characteristic
3.	transport or offer to transport a child unless written consent has been given by their parent and or guardian
4.	engage in physical intervention unless in emergency situations, where, if personnel did not intervene there would be a real or actual risk to others
5.	be under the influence of drink, drugs or any illegal substance
6.	allow bullying or the use of inappropriate language unchallenged
7.	let allegations a child or vulnerable adults makes be ignored or go unrecorded
8.	do things of a personal nature for a child or vulnerable adult that they can do themselves
9.	enter a house when a child is alone or arrange to meet with a child outside of council work, unless you have full consent of the child’s parent/ guardian and your line manager
10.	administer medication unless specifically trained and approved

### Specific guidance for councillors

#### When should a councillor comply with the council's safeguarding policy?

When acting as, or perceived to be acting as, a councillor.

#### When is a councillor acting as, or perceived to be acting as, a councillor?

It can be unclear as to when a councillor's duties end and when their private life takes over. With regard to safeguarding children there would appear to be three possible situations:

- 1 A councillor clearly acting in an official capacity, for example where a planned visit to a school or care home has been organised by officers and the councillor is attending in their official capacity. In this situation, councillors would be expected to follow the same policy and procedures as officers.
- 2 A situation where the councillor could be perceived to be acting in an official capacity – this could be a situation where councillors are fact finding on their own without officers in attendance (for example where complaints of anti-social behaviour in a children's play area have been made and a ward councillor goes out to see how bad the situation is). In this situation, the councillor may come into contact with children. Again, councillors would be expected to follow the same policy and procedures.
- 3 Purely social contact with children (for example giving a lift to the children of a family friend) or vulnerable adults (for example visiting an older person who is a friend at a care home). There is no need to follow the council's child protection policy and procedures.

It is noted that councillors often get involved with, or take on, other roles in the community, for example school governor, helping at youth clubs, care homes etc. In these circumstances the councillor will have to comply with the policy of the relevant organisation (i.e. the school etc).

#### What does a councillor have to do to comply with the policy?

While acting as, or perceived to be acting as, a councillor:

- all councillors must report any concerns or disclosures made to them relating to child or vulnerable adult safeguarding issues to the council's Designated Safeguarding Officer. Email: [Safeguarding@communitysafetynh.org](mailto:Safeguarding@communitysafetynh.org)
- all councillors must comply with the Good Practice Guidelines.
- In the unlikely event that a councillor needs to work frequently with children or vulnerable adults on behalf of the council then they would be required to have a DBS check and meet with the Designated Safeguarding Officer, to ensure that they are familiar with the council's safeguarding policy and procedure. Should a councillor not attend this meeting and/or in the absence of a satisfactory DBS check, then the council will not place them in the position of working directly with vulnerable individuals on its behalf. Councillors will receive additional guidance on their safeguarding responsibilities as part of the councillor induction process

### **Additional children/young people safeguarding guidelines**

These guidelines relate to working with one or two young people and should be followed for: work placements, work shadowing days and individual meetings with young people.

Where a member of staff intends to work with a group of three or more young people the supervision and gender ratio is a matter of judgement for the officer concerned who must conduct a specific risk assessment in the context of the activity to be undertaken.

#### At the Council Offices

The council is generally open plan; therefore risk to the individual/council is minimal, however:

- No child/young person should be left alone in an enclosed room/office or be alone in an enclosed room with only one adult; two members of staff should be present.
- 1:1 meetings/discussions in an open plan office environment is acceptable.
- DBS checks are not required for staff involved in office based placements.
- When Business Units agree to take on a work placement and have concerns in relation to the putting either the young person/person or the organisation at risk then they should contact HR for advice. Advice will be given on a case by case basis.

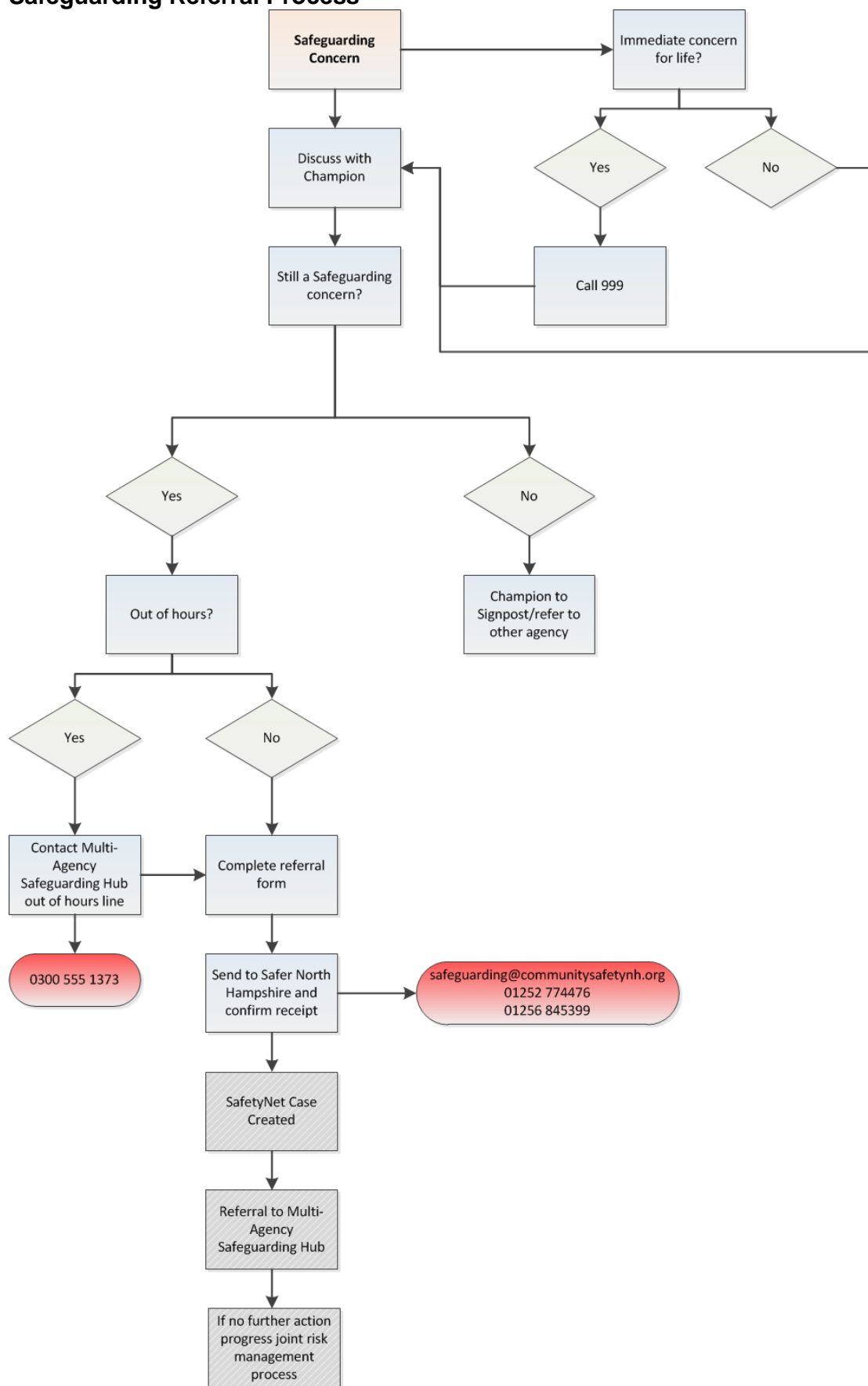
#### Meetings/visits away from the office

- When leaving the offices for meetings or visits young people will be accompanied by two adults at all times. Where possible one of these individuals must be the same gender as the young person (i.e. with a female student there must either be 2 female adults, or 1 female, 1 male adult but not two males; with a male student there must either be 2 male adults, or 1 female, 1 male adult but not two females).
- One of the adults may be someone other than a member of staff; this person should be a 'responsible' adult known in their professional capacity to the member of staff, e.g. councillor, member of community organisation, teacher. (this will generally be a matter of judgement for the officer concerned)
- Approval must be obtained from the school/placement body for the young person to be taken off site during their placement. For placements arranged through HR, consent will have been obtained in advance as part of a Risk Assessment. If the placement has been organised by the business unit directly with a school, the business unit will be responsible for seeking/evidencing consent from the school. If a placement is agreed directly between a business unit and young person, the business unit is responsible for seeking and evidencing consent from the young person's legal guardian.
- If going off site involves travelling in a car belonging to a member of staff, the car must be insured for the purpose of carrying passengers for business use.

### Risk assessments

- HR will undertake a risk assessment for corporate work placement arrangements.
- Business Units should include safeguarding within their risk assessments for any activity with or for young people outside the scope of the corporate work placement arrangements

## Safeguarding Referral Process



## Safeguarding Referral Form

## Children and Vulnerable Adults Safeguarding Incident Reporting Form

<b>Date:</b>		<b>Time:</b>	
<b>Venue:</b>			
<b>Your Name:</b>			
<b>Your Position:</b>			

<b>Name of child/vulnerable adult:</b>			
<b>Gender M/F:</b>		<b>Age:</b>	
		<b>Date of birth:</b>	
<b>Child/vulnerable adult's religious and ethnic background:</b>			
<b>Any identified disability or special factors:</b>			
<b>Child/vulnerable adult's address:</b>			
<b>Other people living at the address (if known)</b>			
<b>Tel No:</b>			
<b>Next of kin:</b>			
<b>Address (if different from above):</b>			
<b>Tel No (if different from above):</b>			

**Brief description of what has prompted the concerns: include dates, times etc of any specific incidents:**

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<b>Have you or anyone else spoken with the parent/family/carers(s)? Y/N</b>	
If yes, please outline what was said:	
<b>Have you explained that you may have to disclose information regarding this allegation to a third party? Y/N</b>	
If yes, please outline what was said:	
<b>Date:</b>	<b>Signature:</b>

**Remember; do not discuss this with friends or colleagues. Arrange to see your Designated Child/Adult Safeguarding Officer urgently, they will initiate appropriate action.**

**For office use only:**

SafetyNet Reference number	
Date input to SafetyNet	
Reporting officer interview date	
Interview time	
Interviewing officer	

Please return this form to Community Safety as soon as you have filled it out – [safeguarding@communitysafetynh.org](mailto:safeguarding@communitysafetynh.org) or call 01252 774476. You are responsible for confirming that a member of the team has received it. **If there is an immediate concern for life please call 999.**