

**OVERVIEW AND SCRUTINY COMMITTEE
19 SEPTEMBER 2017**

***PART 1 – PUBLIC DOCUMENT**

AGENDA ITEM No.

13

**TITLE OF REPORT: ANNUAL SAFEGUARDING CHILDREN AND ADULTS AT RISK
UPDATE (2016-17)**

REPORT OF THE ACTIVE COMMUNITIES MANAGER

EXECUTIVE MEMBER FOR POLICY, TRANSPORT AND GREEN ISSUES (INC.
CHILDREN'S CHAMPION) AND EXECUTIVE MEMBER FOR HOUSING AND
ENVIRONMENTAL HEALTH

COUNCIL PRIORITY : PROSPER AND PROTECT

1. EXECUTIVE SUMMARY

The Council has robust procedures in place that govern how staff and members deal with concerns about children and adults at risk in order to maintain our statutory duty to safeguard their welfare. Work is ongoing to ensure that these procedures are understood and followed throughout the organisation.

2. RECOMMENDATIONS

- 2.1 That the Overview and Scrutiny Committee receive and comment on the annual report of progress made against the Council's fulfilment of the statutory duty to maintain an effective safeguarding function with regard to children.
- 2.2 That the Overview and Scrutiny Committee receive and comment on the annual report of progress made against the Council's fulfilment of the statutory duty to maintain an effective safeguarding function with regard to adults at risk.
- 2.3 That the Overview and Scrutiny Committee agree that sufficient and robust processes are in place at NHDC for application and review of safeguarding processes, and that an annual review and presentation to this committee should continue.

3. REASONS FOR RECOMMENDATIONS

The recommendation(s) contained within paragraph 2.1, 2.2 and 2.3 are made due to this being the best course of action that can be accommodated within the approved budget and officer resources, that will fulfil our statutory and lawful obligations but also ensure that a regular, corporate review exists.

4. ALTERNATIVE OPTIONS CONSIDERED

None applicable.

5. CONSULTATION WITH RELEVANT MEMBERS AND EXTERNAL ORGANISATIONS

The Executive Member for Policy, Transport and Green Issues (inc. Children's Champion) has been consulted and is satisfied with the content of the report. The Executive Member for Housing and Environmental Health have been consulted and is satisfied with the content of the report.

6. FORWARD PLAN

- 6.1 This report does not contain a recommendation on a key decision and has not been referred to in the Forward Plan.

7. BACKGROUND

- 7.1 Section 11 of the Children Act 2004 places a duty on all statutory agencies working with children and young people to 'safeguard and promote their welfare'. The duty means that key people and bodies must make arrangements to ensure their functions are discharged with full regard to the needs to safeguard and promote the welfare of children. This also includes responsibility to monitor sufficient arrangements in services they contract out to others.
- 7.2 The Care Act 2014 came into effect on 1st April 2015 and places a statutory duty on local authorities to provide services to meet the needs of adults who require care and support. A duty to establish a Safeguarding Adults Board in every local authority area was introduced and a duty placed on Districts Councils and other local organisations to cooperate fully with the board. This duty involves both referring concerns and providing information when requested to assist with investigations. District Council representation is maintained on both the Hertfordshire Safeguarding Adults Board and Hertfordshire Districts Safeguarding Group.
- 7.3 Our statutory function remains that of referring concerns to the relevant agency for necessary action. When making a formal referral, the Council should receive notification as to whether the referral has met the threshold or not. An officer who had significant dealings with the victim could be asked to contribute to a case conference. Where this is not the case, we would rarely be informed of further action.

8. RELEVANT CONSIDERATIONS

8.1 Prevalence of referrals made by NHDC:

Changing prevalence of referrals rarely correspond to an actual change in the numbers of people experiencing abuse. Referral prevalence is more commonly influenced by opportunities that raise awareness of the potential for abuse amongst individuals, such as high profile national cases such as Jimmy Saville or local developments in training and information.

It is misleading to compare our referral prevalence with other organisations or local authorities due to the differences in the types of services provided and the varying size of the organisations.

8.2 Between April 2016 and March 2017 NHDC referred 3 children and 2 adults to Hertfordshire County Council (HCC) regarding concerns that there was a significant risk of abuse. In addition to this, 5 referrals were made regarding victims of domestic abuse, 4 of which had children present in the household. NHDC also deemed 9 families with children to be intentionally homeless, which results in an automatic referral to HCC for the children.

There was no significant change in the number of referrals between the last twelve month period and any other year for which we hold data.

8.3 Both the Hertfordshire Safeguarding Children's Board and Adults Board collate county wide data on referral rates by District from all sources. They have also reported no significant changes in referral rates.

8.4 Actions completed April 2016 to March 2017:

- A Safeguarding Support Officer was employed in September 2016 providing a dedicated resource. The role focuses on organising training, raising the profile of safeguarding across the organisation, managing the corporate safeguarding database, representing NHDC at local meetings and maintaining up to date procedures.
- A corporate database of all referrals and incidents is now maintained allowing us to cross reference cases where there are multiple concerns and respond to requests for information from outside agencies.
- A dedicated safeguarding email account was established for internal use ensuring referrals are responded to in a more timely manner.
- Level 2 safeguarding adults training was delivered to all Designated Safeguarding Officers. This has to be refreshed every two years.
- Level 1 safeguarding children's training was delivered for any new starters and as a refresher for all housing staff. This has to be refreshed every three years.
- The Safeguarding Support Officer now represents NHDC on the Local multi-agency safeguarding forum for North Herts and Stevenage. Previously we had not been represented on this group and were missing an opportunity to share information with other organisations in North Herts.
- Full attendance at the Hertfordshire District Safeguarding group was maintained ensuring we met with the nine other Councils and the adults and children's boards four times in the year.
- New starter documents were updated so that all staff receive a safeguarding briefing note on their first day.

- A corporate safeguarding group was established providing all Designated Safeguarding Officers and Prevent leads an opportunity to meet twice a year. This is a recommendation in Section 11 of the Children Act 2004.
- An audit of our practices was completed with the Hertfordshire Safeguarding Adults Board. We received good assurances that our policies and procedures are compliant and are working to complete any identified actions.
- Following the national Football Association allegations into child abuse in football, we responded to a request from by the Hertfordshire Safeguarding Children's Board for information about the safeguarding practices employed by our leisure contractors and the means by which these are monitored.
- A safeguarding article now features in every monthly Insight, the internal magazine for staff and Councillors.
- Posters, leaflets and guidance on recognising and responding to signs of child sexual exploitation were sent to every taxi driver, B & B's, hotel, licensed premises and HMO.
- A credit card sized leaflet containing key facts about how to recognise and respond to child abuse has been produced and circulated to all staff and Councillors.

8.5 Work planned for April 2017 to March 2018:

- Level one safeguarding adults and safeguarding children training will be delivered for new staff or those requiring their 3 year refresher.
- Mental Capacity Act training will be delivered. This will assist staff handling adults at risk referrals to determine if the adult has sufficient mental capacity to decline their information being shared.
- Level 2 safeguarding children training will be delivered to all Designated Safeguarding Officers requiring their 2 year refresher.
- Our basic level e-learning package Safeguarding Children and Adults is being updated. In September 2017 we will be recommending to the Senior Management Team that this becomes mandatory training for all staff.
- A domestic abuse policy and procedure is being written to capture the good work already being undertaken. Training has recently been delivered on domestic abuse.
- All Designated Safeguarding Officers will be receiving training from Operation Tropic covering modern day slavery and human trafficking.

9. LEGAL IMPLICATIONS

9.1 The terms of reference for Overview and Scrutiny Committee include to Overview and Scrutiny Committee paragraph 6.2.7(y) "Consider reports relating to the authority's safeguarding responsibilities".

9.2 The relevant legislation includes the Children Act 2004, the key points of which are:-

- Section 11 places a statutory duty on key people and bodies – including 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.
- Section 10 outlines the duty to promote inter-agency cooperation between named agencies (including district councils).
- Section 13 gives district councils representation on, and participation in, Local Safeguarding Children's Boards (LSCBs).

- 9.3 Other relevant legislation is The Care Act 2014 came into effect on 1st April 2015 and places a statutory duty on local authorities to provide services to meet the needs of adults who require care and support. A duty to establish a Safeguarding Adults Board in every local authority area was introduced and a duty has been placed on District Councils alongside other local organisations to cooperate fully with the board.
- 9.4 The key responsibility for safeguarding in Hertfordshire lies with the County Council and it is important to remember that it is not the responsibility of any District Council Member, employee, volunteer or contracted service provider to determine whether abuse is being experienced, or has taken place, or indeed the nature of any abuse.

The role of the member, employee, volunteer or contracted service provider is to inform and report concerns, not to investigate or judge. A District Council is not responsible for investigating any safeguarding incidents or allegations, involving children, young people or vulnerable adults, but provides the local 'eyes and ears' to enable a route to report any concerns.

10. FINANCIAL IMPLICATIONS

- 10.1 Ongoing training for staff will be funded from existing budgets. However it should be noted that there are increased training needs for both staff and members in response to the national agenda e.g. Child Sexual Exploitation, Prevent, domestic abuse which may place additional pressure on learning and development budgets. A corporate training budget is held by Learning and Development and can be bid for should individual services not have the capacity to meet the costs of their training needs.
- 10.2 Following a restructure of the Active Communities Team, the post of Safeguarding Support Officer has been funded through existing budgets therefore not requiring additional resources.
- 10.2 There are no capital implications.

11. RISK IMPLICATIONS

- 11.1 Progress on implementing and reviewing "Policies for Safeguarding Children and Safeguarding Adults at Risk of Harm" is tracked on the risk register via risk entry RR278. The latest assessment of the identified risks, completed in March 2017, scored the Impact as being "High" but the Likelihood as being "Low".
- 11.2 NHDC's safeguarding policies and procedures outline the various steps taken by North Herts District Council to reduce the risk to employees, children and adults at risk accessing our services, including procedures for safe recruitment, learning and development for employees and reporting procedures for employees with concerns.

12. EQUALITIES IMPLICATIONS

- 12.1 In line with the Public Sector Equality Duty, public bodies must, in the exercise of their functions, give due regard to the need to eliminate discrimination, harassment, victimisation, to advance equality of opportunity and foster good relations between those who share a protected characteristic and those who do not.

- 12.2 Due to their age, development and dependency on adults including in the delivery of services, children are vulnerable and therefore often more open to abuse. They have a legal right to be protected and for organisations to take appropriate action to prevent and report suspected abusive behaviour. The Equality Act supports the Children Act 2004 to provide this protection to vulnerable children.
- 12.3 Equally, adults who are more vulnerable, either through decreased mental capacity/age related dementia, learning difficulties, or their personal domestic situation i.e. changing from one residential care home to another, have a legal right to be protected and for organisations to take appropriate action to prevent and report suspected abusive behaviour.

13. SOCIAL VALUE IMPLICATIONS

- 13.1 The Social Value Act and “go local” policy do not apply to this report.

14. HUMAN RESOURCE IMPLICATIONS

- 14.1 The Human Resources role in safeguarding is, in the main, covered by processes contained in the Recruitment and Selection Policy and the Disclosure Barring Service Employment Checks Policy. HR also assist with learning and development and there are no additional human resource implications to this report.

15. APPENDICES

None

16. CONTACT OFFICERS

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17. BACKGROUND PAPERS

None