

CYNGOR SIR POWYS COUNTY COUNCIL.

**CABINET
30th January 2018**

REPORT AUTHOR: County Councillor Rachel Powell
Portfolio Holder for Children's Youth, Libraries and
Leisure Services

SUBJECT: Putting in place a Corporate Safeguarding Policy and a
Corporate Safeguarding Group

REPORT FOR: Decision

1. Summary

1.1 All individuals within our communities have a right to be protected against abuse, harm, neglect and violence. Local authorities have a statutory duty to safeguard and promote the welfare of children and adults at risk with whom they come into contact. To ensure that these duties are met effectively, local authorities should develop a safeguarding policy which outlines their expectations. Welsh Government policy documents also set out clear expectations regarding the leadership on safeguarding matters required corporately from senior members and officers in local authorities. They share collective responsibilities for planning improvements, best met by establishing a corporate group to exercise oversight of this work

2. Proposal

- 2.1 To have in place a Corporate Safeguarding Policy which:
- sets out the steps that the Council will take to protect and safeguard children and adults at risk; and
 - provides guidance for all councillors, employees, volunteers and contracted service providers on what to do if they suspect a child or vulnerable adult may be experiencing harm or is at risk of harm.
- 2.2 To have in place a Corporate Safeguarding Group which:
- ensures that the Council operates effectively in providing guidance, management and assurance processes and controls for safeguarding children and adults at risk;
 - helps the Council carry out its statutory safeguarding duties at corporate, service and partnership levels; and
 - drives improvements in safeguarding policy and practice.

3. Options Considered / Available

- 3.1 All councillors, employees, volunteers and contracted service providers have a responsibility to safeguard and protect children and adults at risk in the course of their duties. There is also a wider society expectation that we safeguard and protect children and adults at risk in our personal and public lives.
- 3.2 As a corporate body, the Council has a duty to ensure that it undertakes its functions in a way that safeguards and promotes the welfare of children (Children Act, 2004, section 28). Under section 17 of the Crime and Disorder Act (1998), the Council has a duty to ensure that every reasonable step is taken to protect adults and prevent crime and disorder when it undertakes its functions. Under section 175 of the Education Act 2002, guidance has been issued by Welsh Government directing that local authorities, governing bodies of maintained schools and FE institutions must have regard to the guidance *Keeping Learners Safe* for the purpose of meeting their duties and that they should exercise their functions in a way that takes into account the need to safeguard and promote the welfare of children. The requirement to 'have regard' means that the guidance must be taken into account and any decision to depart from it must be justified.
- 3.3 The Social Services and Wellbeing (Wales) Act 2014 contains strengthened and statutory arrangements to safeguard and protect adults at risk. Included in the legislation is a requirement for the local authority to investigate when they suspect an adult with care and support needs is at risk of abuse or neglect. In addition to legislation, there is statutory guidance intended for local authorities and their relevant partners in relation to safeguarding.
- 3.4 The Act and codes of practice issued under the Act, while making it clear that safeguarding children and adults at risk of abuse and neglect is everyone's responsibility, specify that the Director of Social Services must show leadership to ensure effective safeguarding arrangements are in place, both within the local authority and by relevant partners. The Director of Social Services must oversee and report to Councillors, on a consistent basis regarding the operation, monitoring and improvement of child and adult safeguarding systems within the local authority. Defined arrangements with other officers must be clear in relation to delegation and reporting arrangements relating to safeguarding issues.
- 3.5 Given the complex legislative context, it is essential that safeguarding activity undertaken by different parts of the Council is underpinned by an explicit and comprehensive policy which is well understood by all those who may need to apply it. This helps to ensure clear strategic direction, greater effectiveness and strong lines of accountability as well as common standards and transparent practice.

- 3.6 This is a wide-ranging and high profile area of work for the Council, potentially affecting all councillors, employees, volunteers and contracted service providers. It requires effective leadership and co-ordination in areas such as: policy development; implementation; programme planning; training; staff recruitment; compliance monitoring and reporting. This is best undertaken by a Corporate Safeguarding Group which has representation from all service areas. The Group will take over the responsibilities currently undertaken by the Strategic Safe Recruitment Forum, currently chaired by the Strategic Director Place
- 3.7 The Violence Against Women, Domestic Abuse and Sexual Violence Act (Wales) 2015 (VAWDASV) places legal duties on the Council and other relevant agencies (such as the Health Board and Fire Service) to take action to reduce the acceptability of all forms of gender-related violence and to improve services for victims and survivors.
- 3.8 These issues affect many of the services and departments of the Council and the obligations under the Act are corporate in nature. The Commissioning Manager for VAWDASV, located in the CYPP section, seeks to co-ordinate the Council's response to the Act. Under the provisions of the Act, there are a number of statutory deadlines with which the Council and other relevant authorities have to comply. VAWDASV requires new strategic regional partnership arrangements to ensure co-operation and liaison between the statutory and voluntary agencies involved in providing services. In Powys and the West Wales regions, these structures have been aligned with existing safeguarding arrangements to maximise efficiency. A key requirement of the VAWDASV Act is a very major investment in training within relevant authorities. The statutory guidance identified six levels of training required with all staff employed by the Council coming within at least one and potentially several of these groups. For each group, specified training is required and, in some cases, there is an associated timetable for compliance. 50% of staff should have been trained by April 2017 and the Council did not reach this target. 100% of staff must be trained by April 2018.
- 3.9 Independent Domestic Violence Advocates (IDVAs) are provided currently by Hafan Cymru, funded by Dyfed Powys Police and Powys Council. From March 2018, the IDVA service is being jointly commissioned with the Police on a regional basis across Mid and West Wales. It will be funded from the regional VAWDASV grant and, consequently, there will be no funding available from this source for individual local authorities. The regional VAWDASV board has resolved that local authorities should consider making a contribution to VAWDASV from their core budgets in 2018/19. Without such funding and with the loss of grant funding from the region, the Commissioning Manager post for VAWDASV in Powys is at risk.
- 3.10 Apart from the £30,000 from Children Services, the Council does not provide any other direct funding for VAWDASV, although domestic

abuse has been identified as the single greatest parental factor in children being entered onto the Child Protection register. Finance for an additional Commissioning manager for VAWDASV (and Edge of Care services) have been included as part of the bid for additional resources required to implement the Children's Services Improvement Plan.

4. Preferred Choice and Reasons

- 4.1 A draft Corporate Safeguarding Policy and Procedure for Powys County Council is attached at Appendix 1.
- 4.2 Draft terms of reference for a Corporate Safeguarding Group is attached at Appendix 2.

5. Impact Assessment

- 5.1 Is an impact assessment required? Yes
- 5.2 If yes is it attached? Appendix 3

6. Corporate Improvement Plan

- 6.1 Safeguarding is a priority for the Council. The proposal aligns with the Current objective in the Corporate Improvement Plan of Supporting People to Live Fulfilled Lives and aligns with the Health and Care wellbeing objective set out in Vision 2025.
- 6.2 Although there are no direct resource implications arising from this report, it is likely that the Council will incur expenditure which may not be covered by existing budgets. Increased awareness of safeguarding issues and new responsibilities for responding to concerns are likely to generate additional pressures and capacity issues. Other areas, such as additional training for all those affected by the new corporate policy and responsibilities for overseeing compliance with safer recruitment are not cost neutral. However, safeguarding is one of the paramount and most high profile of all the responsibilities undertaken by the Council. There is a risk to its reputation and an increased likelihood of additional external intervention if it is not seen as adopting best practice models in this area of work.

7. Local Member(s)

- 7.1 This is an issue which affects all areas of Powys.

8. Other Front Line Services

Does the recommendation impact on other services run by the Council or on behalf of the Council? Yes

Corporate Management Team and Heads of Service have been engaged and fully support the proposal.

9. Communications

Have Communications seen a copy of this report? Yes

Have they made a comment? No

10. Support Services (Legal, Finance, Corporate Property, HR, ICT, Business Services)

10.1 Legal

10.2 Finance

10.3 Corporate Property (if appropriate)

10.4 HR (if appropriate)

10.5 ICT (if appropriate)

11. Scrutiny

Has this report been scrutinised? No

If Yes what version or date of report has been scrutinised?

Please insert the comments.

What changes have been made since the date of Scrutiny and explain why Scrutiny recommendations have been accepted or rejected?

12. Statutory Officers

13. Members' Interests

The Monitoring Officer is not aware of any specific interests that may arise in relation to this report. If Members have an interest they should declare it at the start of the meeting and complete the relevant notification form.

Recommendation:	Reason for Recommendation:
1. That the Council adopts the draft Corporate Safeguarding Policy and Procedure.	1. To outline the steps that the Council will take to protect and safeguard children and adults at risk; and to provide guidance

<p>2. That the Council agrees to establish a Corporate Safeguarding Group, as set out in the draft terms of reference.</p> <p>3. That relevant Scrutiny Committees and the Cabinet receive six-monthly reports from the Corporate Safeguarding Group.</p>	<p>for all councillors, employees, volunteers and contracted service providers on what to do if they suspect a child or adult may be experiencing harm or is at risk of harm.</p> <p>2. To ensure effective corporate arrangements for safeguarding and protecting children and adults at risk across all Council services.</p> <p>3. To enable elected Members to exercise effective oversight of this critical area of work.</p>
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Relevant Policy (ies):			
Within Policy:	Y	Within Budget:	Y

Relevant Local Member(s):	N/A
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Person(s) To Implement Decision:	Chief Executive
Date By When Decision To Be Implemented:	01 st February 2018

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Background Papers used to prepare the Report:
CSSIW Inspection Report October 2017.