

Follow-up Review of Arrangements for Corporate Safeguarding – Powys County Council

Audit year: 2021-22

Date issued: November 2022

Document reference: 3264A2022

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Summary report

Summary

What we reviewed and why

- 1 We undertook this review to seek assurance that Powys County Council (the Council) has effective corporate arrangements in place for safeguarding children and adults at risk. We assessed how the Council had addressed the findings and proposals for improvement of our 2014 report into the Council's arrangements to support safeguarding children¹. We also assessed the Council's progress in implementing the recommendations contained in the Auditor General's report, 'Review of Corporate Safeguarding Arrangements in Welsh Councils' (July 2015)².
- 2 We undertook our review during the period June 2022 to September 2022.

What we found

- 3 Our review sought to answer the question: Has the Council acted upon the recommendations and proposals for improvement contained in the national and local reports of the Auditor General published in 2014 and 2015?
- 4 Our review focussed on the Council-wide corporate arrangements for safeguarding. It was not a review of specific safeguarding arrangements in Education or Social Services.
- 5 Overall we found that: **Concerningly, the Council still does not have proper control of its corporate safeguarding arrangements, which exposes both the Council and its residents to risk.**
- 6 The Terms of Reference of the Council's Corporate Safeguarding Group sets out that its purpose is 'To ensure that all members and staff fulfil their roles and responsibilities in helping to keep people safe from harm and abuse, acknowledging that safeguarding is everybody's business in every service within the Council.' However, in practice, the Council was not able to demonstrate that it was acting in accordance with its commitment, nor assuring itself or its citizens that 'safeguarding is everybody's business in every service within the Council'. This exposes both the Council and its residents to ongoing safeguarding risks.
- 7 The Council also has not fully addressed most of our previous safeguarding proposals for improvement and national recommendations as set out in **Exhibits 2 and 3** below.

¹ Auditor General for Wales, Local Authority Arrangements to Support Safeguarding of Children, September 2014.

² Auditor General for Wales, [Review of Corporate Safeguarding Arrangements in Welsh Councils](#), July 2015.

- 8 The Council needs to take urgent steps to strengthen its corporate safeguarding arrangements and oversight, to assure itself that all its services are safeguarding adults and children of the county. The key governance issues that it needs to address are:
- **Publishing a corporate safeguarding policy.** It is common for Councils to have a corporate safeguarding policy. The Council is an outlier in that it does not have such a policy and has never had such a policy. The absence of such a policy means that there is a potential lack of clarity about roles and responsibilities and potential inconsistencies in practice. As a result of this review, the Council is now drafting a corporate safeguarding policy.
 - **The role of the Corporate Safeguarding Group.** The standing membership of the Corporate Safeguarding Group includes senior officers and members. But the Group is not properly fulfilling its own responsibilities as set out in its Terms of Reference. There is a lack of effective oversight of corporate safeguarding matters. This lack of oversight is made worse as the Group is not producing an annual corporate safeguarding report for Cabinet or the relevant scrutiny committee, as the Terms of Reference of the Group stipulates it should. This means that the Council is vulnerable to not being aware of issues, trends or the potential need to address corporate safeguarding risks.
- 9 We have included in **Exhibits 2 and 3** our original recommendations from our local and National Review of Corporate Safeguarding reports, and the lack of progress the Council has made in implementing these. It is unclear why the Council has not tracked and implemented these recommendations in line with its internal recommendation tracking processes established to provide assurance to relevant committees and the public.
- 10 Given our concerns, we have identified further recommendations in **Exhibit 1** to help the Council to urgently focus and strengthen its corporate safeguarding arrangements. These new recommendations replace the previous recommendations from 2015.

Recommendations

Exhibit 1: recommendations

The table below sets out the recommendations that we have identified following this review.

Recommendations	
R1	The Council needs to urgently assure itself that it has robust arrangements in place for corporate safeguarding and use appropriate mechanisms such as the governance and audit committee, scrutiny, the Corporate Safeguarding Group and internal audit to help it achieve that assurance.
R2	The Council should agree and implement a corporate safeguarding policy and ensure it is easily accessible and understandable to staff, members and other stakeholders, and that it is reviewed periodically to ensure it is kept up to date and embedded in the day-to-day workings of every service in the Council.
R3	The Council needs to urgently ensure that the Corporate Safeguarding Group is carrying out its responsibilities in accordance with the Group's own Terms of Reference 'to ensure that all members and staff fulfil their roles and responsibilities in helping to keep people safe from harm and abuse, acknowledging that safeguarding is everybody's business in every service within the Council'.
R4	The Council needs to publicise the roles and responsibilities of the lead officer and lead member for corporate safeguarding to strengthen corporate leadership and accountability.
R5	<p>The Council should review the need for having two Disclosure and Barring Service policies. If it decides to keep the two policies, it should be clear as to the rationale why, and also clear on the following matters, so as to avoid confusion:</p> <ul style="list-style-type: none">• who the policies apply to;• ensure they are reviewed at the same time;• are consistent with each other; and• that anyone using the policies is sighted that they are both current and up to date.

Recommendations

R6 The Council should produce central guidance on the recruitment of volunteers to help to ensure consistency across the Council.

R7 The Council should gather contractual monitoring information from across all Council Directorates to ensure they are all robustly monitoring and quickly addressing safeguarding-related actions.

R8 The Council should accelerate the rate of compliance with the completion of mandatory safeguarding training for staff and members so that 'all members and staff fulfil their roles and responsibilities in helping to keep people safe from harm and abuse'.

R9 The Council needs to clarify its expectations of contractors in respect of safeguarding training because there are currently discrepancies in the Council's approach.

R10 The Council should improve the quality of corporate safeguarding performance information that goes to Cabinet and scrutiny to facilitate improved oversight of corporate safeguarding.

R11 The Council should assure itself that all directorates are fully considering safeguarding risks, have suitable escalation and mitigation processes where necessary, and, where appropriate, ensure directorate risk registers reflect that consideration.

Assessment of progress against the recommendations from our 2015 national report

Concerningly, the Council still does not have proper control of its corporate safeguarding arrangements, which exposes both the Council and its residents to risk

Exhibit 2: recommendations from our 2015 report and our assessment of progress against them

Recommendations from the 2015 report	Recommendation met/not met	Audit Wales' assessment of Council's progress
R1 Improve corporate leadership and comply with the Welsh Government policy on safeguarding through:		
<ul style="list-style-type: none"> the appointment of a senior lead officer who is accountable for safeguarding and protecting children and young people with corporate responsibilities for planning improvements; 	Met	<ul style="list-style-type: none"> The interim Director of Social Services and Housing was appointed to this role in July 2022. Prior to this appointment, this role was carried out by the Executive Director for People and Organisational Development.
<ul style="list-style-type: none"> the appointment of a lead member for safeguarding; and 	Met	<ul style="list-style-type: none"> The Cabinet member for a safer Powys was appointed to this role in July 2022. Prior to the election in May 2022, this role was carried out by the Cabinet member for Young People and Culture.
<ul style="list-style-type: none"> regularly disseminating and updating information on these appointments to all staff and stakeholders. 	Not met with a further recommendation made (see R3 on page 6 above)	<ul style="list-style-type: none"> The Council does not publicise the roles of lead officer and lead member for corporate safeguarding.

Recommendations from the 2015 report	Recommendation met/not met	Audit Wales' assessment of Council's progress
		<ul style="list-style-type: none"> The Council does not have a corporate safeguarding policy that sets out the roles and responsibilities of the lead officer and lead member. The Council does not have corporate safeguarding intranet pages or website pages. It is not clear from the Council website which Cabinet member is the lead member for corporate safeguarding.
<p>R2 Ensure there is a corporate-wide policy on safeguarding covering all Council services to provide a clear strategic direction and clear lines of accountability across the Council.</p>	<p>Not met with further recommendations made (see R2 and R4 on page 6 above)</p>	<ul style="list-style-type: none"> The Council does not have a corporate safeguarding policy and has never had a corporate safeguarding policy, despite the recommendation in our 2015 report. It is also despite the Terms of Reference for the Corporate Safeguarding Group stating that the responsibilities of the Group include 'developing and overseeing implementation of a Council-wide safeguarding policy' and 'identifying emerging themes and ensuring that the Council's safeguarding policy remains fit for purpose'. As a result of this review, the Council is drafting a corporate safeguarding policy.
<p>R3 Strengthen safe recruitment of staff and volunteers by:</p>		
<ul style="list-style-type: none"> ensuring that Disclosure and Barring Service (DBS) checks and compliance with safe recruitment policies cover all services that come into contact with children; 	<p>Partially met with further recommendations made (see R5 and R6 on pages 6 and 7 above)</p>	<ul style="list-style-type: none"> The Council has two DBS Policies. They are both called the DBS Policy and Procedure, which is confusing. The Council has stated the one of these policies is the 'condensed' version, although they are 25 pages and 31 pages long respectively. The 'condensed' version is the longer document. It is apparent that they have been produced at different times and they have not been reviewed at the same time. One policy was produced in September 2020 and the other last reviewed in June 2018. Both the full version of the DBS Policy and the

Recommendations from the 2015 report	Recommendation met/not met	Audit Wales' assessment of Council's progress
		<p>condensed version have gone past their due review dates. In the longer version of the policy it is not explicitly clear in the 'Who is covered by this policy?' section that it applies to staff and volunteers, although there are references to volunteers in the policy. The condensed version has a section called 'scope' that says 'This policy is applicable to all employees'. It is silent on whether it applies volunteers, although it goes on to refer to volunteers in other sections of the policy. Neither policy cross-references the other one so there is scope for confusion as to which one to follow.</p> <ul style="list-style-type: none"> There is a Volunteering in Schools Policy, but the Council does not have a corporate volunteers policy or central guidance on the recruitment of volunteers. The Council has Safer Recruitment Guidance that contains references to volunteers, but it is essentially about safely recruiting employees and cannot be described as central guidance on the recruitment of volunteers.
<ul style="list-style-type: none"> creating an integrated corporate compliance system to record and monitor compliance levels on DBS checks; and 	Met	<ul style="list-style-type: none"> The Council hold DBS checks information for staff and volunteers on iTrent.
<ul style="list-style-type: none"> requiring safe recruitment practices amongst partners in the third sector and for volunteers who provide services commissioned and/or used by the Council which are underpinned by a contract or service level agreement. 	Partially met with further recommendations made (see R4, R7 and R9 on pages 6 and 7 above)	<ul style="list-style-type: none"> The Council has a Contractors Guidance for Safer Recruitment document that is clear on DBS checks expectations. The Standard Services Contract and the shorter version of the DBS policy are similarly clear (the longer version of the DBS policy is not as clear). The Council provided a couple of Invitation to Tender examples in relation to support services for children and young people. They contain various pertinent questions

Recommendations from the 2015 report	Recommendation met/not met	Audit Wales' assessment of Council's progress
		<p>on safeguarding matters and request appropriate safeguarding related information.</p> <ul style="list-style-type: none"> • However, the Council's wider arrangements for contractors are weak when it comes to requirements for undertaking safeguarding training. Examples of such weakness are: <ul style="list-style-type: none"> – The Contractors Guidance for Safer Recruitment could be stronger on mandating safeguarding training. It currently just recommends (as opposed to mandates) that all employees that come into contact with children, young people and/or adults at risk receive children and/or adult safeguarding awareness training. – The Council provided us with an example of wording used in a tender that states 'The Service Provider shall ensure that all support provider staff receive appropriate training in Safeguarding in line with the Council's policies and procedures'. It is not clear what policies and procedures are being referred to and there is not a corporate safeguarding policy in place. • The following wording in the Standard Services Contract is weak. It states 'Where identified to the Contractor as being relevant to the Contract, the Contractor shall be obliged to comply with, and shall ensure that Staff shall comply with, such relevant policies of the Council in addition to any policies available from time to time on the Council's website which may be relevant to (it then lists various policies including 'safeguarding policies'). There is not a corporate safeguarding policy available, and it is not clear exactly what safeguarding policies are being

Recommendations from the 2015 report	Recommendation met/not met	Audit Wales' assessment of Council's progress
		<p>referred to, and the reference to 'from time to time' is also vague.</p> <ul style="list-style-type: none"> • One of the responsibilities of the Corporate Safeguarding Group is 'To ensure safe recruitment policy and processes are implemented and adhered to across the Council (including schools), with monitoring in respect of new and existing employees, contractors and volunteers on a scheduled basis'. The Corporate Safeguarding Group needs to assure itself that the Council's recruitment processes for contractors are robust and that all Council Directorates are all robustly monitoring safeguarding related provisions as part of their contract monitoring arrangements. At present, there is there is no corporate oversight of whether service areas are checking compliance with safeguarding contractual provisions as part of contract monitoring.

Recommendations from the 2015 report	Recommendation met/not met	Audit Wales' assessment of Council's progress
<p>R4 Ensure all relevant staff, members and partners understand their safeguarding responsibilities by:</p>		
<ul style="list-style-type: none"> ensuring safeguarding training is mandated and coverage extended to all relevant Council service areas, and is included as standard on induction programmes; 	<p>Met with further recommendations made (see R8 on page 7 above)</p>	<ul style="list-style-type: none"> In April 2022 the Council introduced mandatory e-learning safeguarding training for all staff. The Council stipulated that the mandatory safeguarding training must be completed within three months. However, the Council's July 2022 Quarter 1 performance report for 2022-23 stated that the completion rate stood at 44.2%. Schools' staff current compliance rate with mandatory safeguarding training is 100%. The Council has also introduced mandatory e-learning safeguarding training for members post the May 2022 election. The Council asked members to complete the training by the end of August 2022 and at that date 65% of members had done so. The Council has stated that safeguarding training needs to be refreshed every three years. Every new member of staff is required to complete any mandatory training by the end of their first week. If that is not done, then HR raises it with Heads of Service in a report. Violence Against Women, Domestic Abuse and Sexual Violence (VAWDASV) training is mandatory for staff and members. At the time of writing, the completion rate for staff is 80.5%. Of the 29 new Councillors elected in May 2022, 83% have completed the VAWDASV training.

Recommendations from the 2015 report	Recommendation met/not met	Audit Wales' assessment of Council's progress
		<ul style="list-style-type: none"> For members elected prior to May 2022, the Council has stated that the VAWDASV e-learning module has a three-year refresher period. Of the 39 returning members, 17 need to renew their training. The Council's website contains a safeguarding video produced in conjunction with Dyfed Powys Police, Pembrokeshire County Council, Carmarthenshire County Council and Ceredigion County Council. New taxi drivers have to watch the video and are tested on it as part of the driver test that needs to be passed in order to submit a driver application.
<ul style="list-style-type: none"> creating a corporate-wide system to identify, track and monitor compliance on attending safeguarding training in all Council departments, elected members, schools, governors and volunteers; and 	<p>Partially met</p>	<ul style="list-style-type: none"> There is a corporate-wide system for non-schools staff and member (iTrent). There is also training information in respect of volunteers, but as mentioned above, there should be central guidance on recruiting volunteers. That would help to ensure that all volunteers are trained where necessary. Information in respect of schools' staff and governors compliance with safeguarding training is held on a database in the school's service. The training is only mandatory for safeguarding lead governors.
<ul style="list-style-type: none"> requiring relevant staff in partner organisations who are commissioned to work for the Council in delivering services to children and young people to undertake safeguarding training. 		<ul style="list-style-type: none"> See the weaknesses identified against R3 from our 2015 report on pages 11 and 12 above.

Recommendations from the 2015 report	Recommendation met/not met	Audit Wales' assessment of Council's progress
<p>R6³ Improve accountability for corporate safeguarding by regularly reporting safeguarding issues and assurances to scrutiny committee(s) against a balanced and Council-wide set of performance information covering:</p> <ul style="list-style-type: none"> • benchmarking and comparisons with others; • conclusions of internal and external audit/inspection reviews; • service-based performance data; • key personnel data such as safeguarding training, and DBS recruitment checks; and • the performance of contractors and commissioned services on compliance with Council safeguarding responsibilities. 	<p>Not met with further recommendations made (see R3 and R10 on pages 6 and 7 above)</p>	<ul style="list-style-type: none"> • One of the responsibilities of the Corporate Safeguarding Group in its Terms of Reference is to 'to produce an annual safeguarding report (linking with the requirement for an annual report through the Regional Safeguarding Board)'. The Terms of Reference also state that 'Cabinet and Scrutiny Committees will receive information regarding the work of the Group through an annual safeguarding report and a six-monthly update'. However, to date, the Group has not produced such annual reports. • The Corporate Safeguarding Group provide six-monthly updates to Cabinet. They are very brief and only occasionally contain performance information. The Health and Care Scrutiny Committee is the relevant scrutiny committee for corporate safeguarding matters. It has not received a six-monthly update from the Corporate Safeguarding Group since January 2020. • The Council has stated that it does have some corporate safeguarding performance information, but it is included in different reports and not brought together in one place.
<p>R7 Establish a rolling programme of internal audit reviews to undertake systems testing and compliance reviews on the Council's safeguarding practices.</p>	<p>Not met (relates to further recommendation made – see R1 on page 6 above)</p>	<ul style="list-style-type: none"> • Internal Audit issued a report on safer recruitment in 2019-20. Apart from that audit, there have not been other audits that relate to corporate safeguarding. Therefore, it cannot be described as a rolling programme of audits.

³ The Welsh Government was responsible for responding to recommendation 5 so that is not included above.

Recommendations from the 2015 report	Recommendation met/not met	Audit Wales' assessment of Council's progress
<p>R8 Ensure the risks associated with safeguarding are considered at both a corporate and service level in developing and agreeing risk management plans across the Council.</p>	<p>Partially met with a further recommendation made (see R11 on page 7 above)</p>	<ul style="list-style-type: none"> • The Council's Strategic Risk Register includes a risk in relation to insufficient capacity that has potential consequences for safeguarding. • The Children's Services risk register and the Adult Services risk register include risks that have potential consequences for children's or adults' safety such as the Welsh Community Care Information System (WCCIS) and capacity. • Safeguarding does not feature on the Education Risk Register, but the Council has stated there are regular meetings with the designated lead for safeguarding. • Safeguarding does not feature on other Directorate Risk Registers. That may well be appropriate, but the Council needs to assure itself that all Directorates are fully considering safeguarding risks and, where appropriate, ensuring Directorate Risk Registers reflect that consideration.

Assessment of progress against the proposals for improvement from our 2014 local report

Exhibit 3: proposals for improvement from our local 2014 report and our assessment of progress against them

Proposals for improvement (PFI) in our 2014 local report issued to the Council in September 2014	PFI met/not met	Audit Wales' assessment of the Council's progress
<p>P1 Ensure appropriate and timely action is taken to manage risks and under performance in relation to safeguarding and ensure elected members are informed of risk management arrangements and progress in addressing safeguarding risks is included in future scrutiny work.</p>	<p>Partially met</p>	<p>The narrative above against R8 from our 2015 report is relevant to this proposal for improvement from our 2014 local report. Furthermore, the lack of an annual corporate safeguarding report or six-monthly updates going to scrutiny means that scrutiny has not been receiving information in respect of corporate safeguarding risks.</p>
<p>P2 Improve the work of the Council's Scrutiny Committees to ensure it is providing assurance on the effectiveness of the Council's corporate safeguarding arrangements.</p>	<p>Not met</p>	<p>The narrative above against R6 from our 2015 report is relevant to this proposal for improvement from our 2014 local report. The lack of an annual corporate safeguarding report or six-monthly updates going to scrutiny means that scrutiny has not been receiving information on the Council's corporate safeguarding arrangements, so have not been in a position to scrutinise those arrangements.</p>
<p>P3 Ensure all elected members and staff who come into contact with children on a regular basis receive training on safeguarding and child protection issues and the Council's corporate policy on safeguarding.</p>	<p>Partially met</p>	<p>See the narrative against R4 from our 2015 report above. To date, there has not been a corporate safeguarding policy for members or staff to be trained on.</p>
<p>P4 Identify and agree an appropriate internal audit programme of work for safeguarding.</p>	<p>Not met</p>	<p>See the narrative against R7 from our 2015 report above.</p>



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