

Appendix 1



Cyngor Sir Powys County Council

Corporate Safeguarding Policy and Procedure

Contents

1. Introduction
2. Purpose
3. Scope
4. Policy statement
5. Legal context
6. Principles
7. Roles and responsibilities
8. Safeguarding Training
9. Recognising abuse of children and adults at risk
10. What to do if someone tells you that they or another person is being abused
11. Confidentiality – the need to share information
12. Procedure for reporting concerns about a child or a adult at risk
13. Allegations of abuse against professionals/those in a position of trust

Appendix A - Recognising potential abuse

Appendix B – Safe Working Practices

Appendix C – Council Safeguarding Leads

Appendix D – Safeguarding Bodies (diagram)

Appendix E – Social Services and Well-being Wales Act – Safeguarding Summary

1. Introduction

- 1.1 All individuals within our communities have a right to protection 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, local authorities are expected to develop a safeguarding policy which outlines their expectations.
- 1.2 This policy is relevant for councillors, employees, volunteers and contracted service providers. It must be applied rigorously within Powys. The policy aims to set out our duties and the support available to elected members, employees, volunteers or contracted service providers when they have concerns regarding a safeguarding matter. Throughout this document, **the guiding principle is that safeguarding and the protection of children and adults at risk are everybody's responsibility.**
- 1.4 New statutory responsibilities were introduced in April 2016 by the Social Services and Wellbeing (Wales) Act. A summary of the elements of the Act, regulations and statutory guidance that relate to safeguarding is available at the end of this document or by following this link <https://socialcare.wales/hub/hub-resource-sub-categories/safeguarding>.
- 1.5 Issues such as domestic abuse, stalking, harassment, Female Genital Mutilation (FGM), forced marriage and modern slavery are also overseen by the Violence Against Women, Domestic Abuse & Sexual Violence group (VAWDASV). The Council has in place an employee policy on domestic abuse which can be found by following this link (http://intranet.powys.gov.uk/fileadmin/all_depts/cds_pers/pdf/HR_Policies/Domestic_Abuse_Policy_Version_1_Final_-_July_2011.pdf).

2. Purpose

- 2.1 This policy sets out:
 - guidance for all councillors, employees, volunteers and contracted service providers on what to do if they suspect a child or adult at risk may be experiencing harm or is at risk of harm.
 - the steps that the Council will take to protect and safeguard children and adults at risk.

3. Scope

- 3.1 This policy concerns:
 - all children (0-17 years) and adults at risk (18 years and above) regardless of background and culture, maternity or pregnancy status, age, disability, gender, racial origin, religious belief, sexual orientation and/or gender identity.
 - all councillors, employees, volunteers or contracted service providers who are in contact with children and adults at risk as part of their duties and are concerned about their welfare.
 - all councillors, employees, volunteers or contracted service providers who are concerned about the welfare of a child or adult at risk resulting from the action/inaction of other Powys

councillors, employees, volunteers or contracted service providers. This may be done via a discussion with the relevant manager or via the Council's Whistleblowing Policy¹.

4. Policy statement

4.1 Safeguarding and the protection of children and adults at risk are everybody's responsibility and the Council is committed to ensuring that:

- all councillors, employees, volunteers or contracted service providers who are in contact with children and adults at risk as part of their duties promote the welfare of children and adults at risk.
- all councillors, employees, volunteers or contracted service providers know what to do if they are concerned about the welfare of a child or adult at risk.
- all councillors, employees, volunteers or contracted service providers against whom allegations of harm to children and adults at risk are made, are dealt with in accordance with the relevant legislation, policy and procedures.

4.2 The Council will treat any concern seriously and sensitively.

4.3 Referrals made by a councillor, employee, volunteer or contracted service provider cannot be anonymous and should be made in the knowledge that individuals may be required to assist with further enquiries, investigations and (if necessary) as prosecution witnesses.

4.4 The Council will not tolerate harassment of any councillor, employee, volunteer, contractor, child or adult at risk who raises concerns about abuse.

4.5 The Council is committed to safe practice and, through implementation of safer recruitment processes, will ensure that suitable people are selected for working with children and adults at risk.

4.6 Employees (excluding those employed at a school by a School Governing Body where separate arrangements will apply), temporary employees, trainees and independent contractors and people engaged through an external agency will be supported in using the whistleblowing policy and procedure to raise concerns, where it is appropriate to do so.

4.7 In addressing allegations made against councillors, employees, volunteers or contracted service providers, the Council will adhere to the All Wales Child Protection Procedures, the All Wales Adult Protection Procedures and the inter-agency procedures of the Mid and West Regional Safeguarding Board and any other statutory guidance in force at the time.

5. Legal context

- Social Services and Well-being (Wales) Act (2014)
- Safeguarding Children - Working together under the Children Act 2004 (Welsh government guidance)
- All Wales Child Protection Procedures (2008)
- Wales Interim Policy and Procedure for the Protection of Adults at Risk from Abuse (November 2010)
- The Children Act (1989 and 2004)

¹ The whistleblowing policy and procedures apply to **employees** of Powys Council (excluding those employed at a school by a School Governing Body where separate arrangements will apply), temporary employees, trainees and independent contractors. The policy also applies to those engaged through an external agency.

- Children and Young Persons Act (2008)
 - Safeguarding Vulnerable Groups Act (2006)
 - Crime and Disorder Act (1998) – S17 duty
 - Education Act (1996, 2002 and 2011)
 - Safeguarding children in education: handling allegations of abuse against teachers and other staff (2014)
 - Children and Adoption Act 2006
 - Housing Act (1996 and 2004)
 - Equality Act (2010)
 - Female Genital Mutilation Act (2003)
 - Borders, Citizenship and Immigration Act (2009)
 - Apprenticeships, Skills, Children and Learning Act (2009)
 - The Well-being of Future Generations (Wales) Act (2015).
- 4.2 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).
- 4.3 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.
- 4.4 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 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.
- 4.5 The Social Services and Wellbeing (Wales) Act 2014 contains strengthened and statutory arrangements to safeguard and protect adults at risk.

5 Principles

- Safeguarding and the protection of children and adults at risk are everybody’s responsibility.
- The welfare of children and adults at risk is paramount.
- All children and adults at risk (whatever their background and culture, maternity or pregnancy status, age, disability, gender, racial origin, religious belief, sexual orientation and/or gender identity) have the right to participate in society in an environment which is safe and free from violence, fear, abuse, bullying and discrimination.
- All children and adults at risk have the right to be protected from harm, exploitation and abuse and to be provided with safe environments in which to live, work and play.
- Working in partnership with children, their parents, carers and adults at risk and other agencies is essential for promoting the welfare of children and adults at risk.
- The Council will comply with and legislation national and local procedures for safeguarding children and adults at risk.
- A corporate approach will be taken to ensure that all council activities promote the safety and well-being of children and adults at risk (e.g. safer recruitment policy; whistleblowing policy, corporate safeguarding policy).

6. Roles and responsibilities

- 6.1 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 contractual duties. There is also a wider society expectation that we safeguard and protect children and adults at risk in our personal and public lives.
- 6.2 All councillors, employees, volunteers and contracted service providers have a responsibility to adhere to this policy and procedure and refer concerns about children and adults at risk, as set out in Section 12.
- 6.3 Councillors, employees, volunteers and contracted service providers are not expected to decide whether or not abuse has taken place or harm suffered but they must refer concerns about the welfare and safety of children and adults at risk to social services and/or other relevant officers as set out in Section 12. See Appendix A for contact details for directorate safeguarding leads and social services.
- 6.4 The Chief Executive is responsible for ensuring that there is an effective corporate safeguarding policy and procedure for children and adults at risk in place and that this is implemented across the council.
- 6.5 The Director of Social Services has overall responsibility for safeguarding, for ensuring that the council has appropriate measures in place to protect children and adults at risk and for reporting on the effectiveness of safeguarding measures. The Director of Social Services leads the Corporate Safeguarding Group.
- 6.6 The Corporate Safeguarding Group is responsible for overseeing implementation of this policy and relevant procedures.
- 6.7 Individual Directors are responsible for ensuring that:
- there is a designated safeguarding lead within their service;
 - this policy and procedure are implemented; and
 - employees, volunteers and contracted service providers are recruited in line with safer recruitment processes.
- 6.8 Line managers and supervisors are responsible for ensuring that employees, volunteers and contracted service providers for whom they have management/supervisory responsibility:
- are aware of this policy and procedure and their named safeguarding lead; and
 - have undertaken mandatory e-learning on safeguarding.
- 6.9 Line managers and supervisors are responsible for ensuring that, as far as possible, working practices protect employees, volunteers and contracted service providers from being in positions where allegations can be made against them. Consideration must be given to the risks to the child/adult at risk and worker in lone working situations.
- 6.10 Named safeguarding leads within each council division are responsible for acting as a key source of advice and support for councillors, employees, volunteers and contracted service providers raising concerns about the welfare of a child or adult at risk within their service areas.
- 6.11 The local authority designated officer for safeguarding (see Appendix A) is the key source of advice and support for the named safeguarding leads and must be contacted when

somebody is raising concerns or making an allegation about the behaviour of a councillor, employee, volunteer or contracted service provider towards children or adults at risk.

- 6.12 The local authority designated officer for safeguarding is responsible for providing advice and support to named safeguarding leads and ensuring that the All Wales Child Protection Procedures and the Interim All Wales Policy and Procedure for the Protection of Adults at risk are adhered to when allegations are made against councillors, employees, volunteers and contracted service providers.
- 6.13 Contractors, sub-contractors and other organisations working for or on behalf of the council must ensure that they comply with Disclosure and Barring Service (DBS) requirements and the council's safer recruitment policy.

7. Safeguarding Training

- 7.1 The Council and its partner agencies, both locally and nationally, have a wide range of resources for safeguarding training available. These can be used to support all councillors, employees, volunteers or contracted service providers to get relevant information and to develop knowledge and skills. Training will be delivered at specific points in time or at a level which is proportionate to an individual's role within the organisation and experience of safeguarding issues. This ensures that individuals are always directed to the training most appropriate for them. All departments will ensure that individuals attend the training they need.
- 7.2 The following is a list of the types of training currently available across the council; it is not exhaustive. Services will vary in the use they make of training opportunities, with an assumption that more staff in the Social Services and Education directorates will need intensive courses.
- A Safeguarding Awareness presentation within the Corporate Induction Training for all new staff in the local authority.
 - Mandatory e-learning training on safeguarding on the Intranet.
 - Protection of adults at risk and children workshops for elected members.
 - Internal DBS and safer recruitment training courses for employees
- 7.3 The Intranet will contain more details and staff should seek to be well informed about the training available.

8. Recognising abuse of children and adults at risk

- 8.1 Appendix B describes the different types of abuse and the physical and behavioural signs that may accompany such forms of abuse. These are not exhaustive and a child or adult at risk might be at risk as a result of one or more of these factors.

9. What to do if someone tells you that they or another person is being abused

- 9.1 There are procedures in place for what happens when there is reason to suspect that abuse or neglect may have occurred. It is not the responsibility of people without appropriate training to make enquiries or to investigate but you should be willing to listen attentively and, as far as possible, to remember what you've been told.
- Show that you have heard what they are saying and that you take their allegations seriously.
 - Try not to show shock or disbelief, or make judgements.
 - Encourage them to talk but do not prompt or ask leading questions.

- Don't interrupt when they are recalling significant events.
- Don't make them repeat their account.
- Explain what actions you must take in a way that is appropriate to their age and understanding.
- Ask for consent to share this information on a 'need to know' basis, as you cannot guarantee confidentiality. Reporting concerns is not a betrayal of trust.
- Write down what you have been told as soon as you can and no later than 24 hours, using the exact words if possible.
- Don't confront the alleged abuser.
- Don't worry that you may be mistaken. You will always be taken seriously by social services.
- Make a note of the date, time, place and people who were present and whether there were any visible injuries.
- Ensure that you report your concerns immediately to the duty social worker in the appropriate team – do not delay.
- Don't share information about the disclosure with anyone except the appropriate people.

10. Confidentiality – the need to share information

- 10.1 There is a duty to share all relevant information. In these situations, it is the protection of the child or the adult at risk which must take precedence.
- 10.2 Confidentiality rules are not intended to prevent the sharing of information by professionals when the purpose is to protect children and adults at risk.
- 10.3 Safeguarding leads and the local authority designated officer can advise you on what information should and should not be shared.

11. Procedure for reporting concerns about a child or adult at risk

- 11.1 Concerns about a child or adult at risk should first be discussed with the relevant safeguarding lead within each Directorate - see Appendix A. The discussion should be noted along with any agreed actions.
- 11.2 The Directorate safeguarding leads can discuss the concerns with the local authority designated officer for safeguarding, who will provide advice and guidance.
- 11.3 If a child or adult at risk is thought to be at immediate risk of harm, then this must be reported immediately to the safeguarding lead within your directorate or, in their absence, as follows:
- Concerns in respect of children aged 0-17 years must be referred to the duty manager in Children's Services.
 - Concerns in respect of adults at risk 18+ years must be referred to the duty manager in Adult Services.
 - Concerns arising out of hours must be referred immediately to the Emergency Duty Team for Social Services.
 - Dyfed Powys Police can be contacted on 999 in respect of children and adults at immediate risk.
- 11.4 As the result of a referral expressing concerns or reporting abuse, adults, children and families can be provided with different types of support, both before and after any investigation takes place. At the time of referral, it might not be clear whether a child is in

need or is suffering significant harm. Not all referrals will require compulsory intervention or investigation by the police.

- 11.5 Social Services will undertake an initial assessment to ensure that sufficient information is available to make a judgement about the nature of need and/or harm and what action is required.
- 11.6 Information will be shared between agencies and the views of the child, adult at risk, and family members will be considered.
- 11.7 It is possible that the referrer will be contacted to assist with further enquiries, investigations and, if necessary, as prosecution witnesses. Safeguarding leads and the local authority designated office can provide support and assistance with these processes.

12. Allegations of abuse against professionals/those in a position of trust

- 12.1 Allegations made against councillors, employees, volunteers or contracted service providers will be dealt with in accordance with Protection of Adults at risk procedures, Part 4 of the All Wales Child Protection Procedures or the professional concerns protocol. In addition, any other relevant policy and procedure in relation to the person's employment can be applied.
- 12.2 If there are concerns about the conduct towards children or adults at risk of a councillor, employee, volunteer or contracted service provider, a strategy meeting will be convened involving social services, HR (if an employee) and the police. This meeting will agree the actions to be taken.
- 12.3 If the concern relates to an employee, managers must not delay in seeking advice from HR in respect of any immediate safeguarding action that needs to be taken before the strategy meeting is convened.

Appendix A – Contact Details

David Johnston, Interim Head of Childrens Services

Louise Barry, Head of Adults Services (Operations)

Michael Gedrim - Additional Learning Needs Manager

Lorna Simpson Acting Professional Lead – HR

Dylan Owen, Head of Transformation Adult Services

Stuart Mackintosh, Head of Leisure and Recreation

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Appendix B - Recognising potential abuse

It is not the responsibility of council members, employees, volunteers or contracted service providers to determine if abuse is taking place. However, should an alert be received or concern raised that abuse may be taking place, it is their responsibility to follow the appropriate procedure within this policy. Following the correct procedure will ensure that the correct people / agencies are informed and the appropriate action taken.

1. Children

A child is abused or neglected when somebody inflicts harm, or fails to act to prevent harm. Children may be abused in a family or in an institutional or community setting, by those known to them or, more rarely, by a stranger. A child or young person up to the age of 18 years can suffer abuse or neglect and require protection via an inter-agency protection plan.

The signs of abuse are not definitive and serve as a guide only.

Physical abuse

Physical abuse may involve hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating, or otherwise causing physical harm to a child. Physical harm may also be caused when a parent or caregiver fabricates or induces illness in a child whom they are looking after.

Physical signs that might indicate physical abuse:

- Unexplained bruising, marks or injuries on the body
- Multiple bruises in clusters
- Cigarette burns
- Human bite marks
- Broken bones
- Scalds
- Burns/multiple burns.

It is not unusual for children to sustain bruises and cuts as part of their everyday activities. Most accidental bruises are seen on elbows, shins, knees or exposed body parts. Important indicators of physical abuse can be injuries or bruises that are on 'soft' parts of the body where accidental injuries are unlikely e.g. Abdomen, back, buttocks, cheeks and inner thighs.

Behavioural signs that might indicate physical abuse:

- Aggressive behaviour or severe outbursts
- Flinching when touched or approached
- Reluctance to get changed
- Depression or withdrawn behaviour
- Running away from home
- Reluctance to explain how an injury occurred.

Emotional abuse

Emotional abuse is the persistent emotional ill treatment of a child such as to cause severe and persistent adverse effects on the child's emotional development. It may involve conveying to a child that they are worthless or unloved, inadequate or valued only in so far as they meet the needs of another person. It may feature age or developmentally inappropriate expectations being imposed on children. It may involve causing children frequently to feel frightened or in danger, for example by witnessing

domestic abuse within the home or being bullied, or, the exploitation or corruption of children. Some level of emotional abuse is involved in all types of ill treatment of a child, though it may occur alone.

Behavioural signs that might indicate emotional abuse

- Fear of making mistakes
- Self-harm
- Development delay
- Lack of social skills/ few friends
- Sudden speech disorders
- Over-affection towards strangers of people they have not known for very long
- Lack of confidence
- Wariness
- Anxiety
- Lack of close relationship with parent/care-giver
- Aggression towards animals or other children
- Difficulty in controlling strong emotions.

Sexual abuse

Sexual abuse involves forcing or enticing a child or young person to take part in sexual activities, whether or not the child is aware of what is happening. The activities may involve physical contact, including penetrative or non-penetrative acts. They may include non-contact activities, such as involving children in looking at, or in the production of, pornographic material or watching sexual activities, or encouraging children to behave in sexually inappropriate ways.

Physical signs that might indicate sexual abuse

- Pain or itching in the genital area
- Bruising or bleeding near genital area
- Sexually transmitted disease
- Vaginal discharge or infection
- Stomach pains or discomfort when walking or sitting down
- Pregnancy.

Behavioural signs that might indicate sexual abuse

- Sudden or unexplained changes in behaviour e.g. becoming aggressive or withdrawn
- Fear or being left with a specific person or group of people
- Having nightmares
- Running away from home
- Sexual knowledge beyond their age or developmental level
- Acting in a sexually explicit way towards adults or children
- Sexual drawings or language
- Bedwetting
- Overeating or anorexia
- Self-harm, suicidal thoughts, suicide
- Drug/alcohol misuse
- Unexplained sources of money gifts
- Kept away from school or friends
- Saying they have secrets that they cannot tell anybody.

Neglect

Neglect is the persistent failure to meet a child's basic physical and/or psychological needs, likely to result in the serious impairment of the child's health or development. It may involve a parent or caregiver failing to provide adequate food, shelter and clothing, failing to protect a child from physical harm or danger, or the failure to ensure access to appropriate medical care or treatment. It may also include neglect of, or unresponsiveness to, a child's basic emotional needs.

Physical signs that might indicate neglect

- Clothing that is unsuitable for the conditions – too hot or too cold
- Unkempt, dirty, poor personal hygiene
- Tooth decay
- Underweight
- Constantly hungry
- Lack of parental/adult supervision
- Constant tiredness

Behavioural signs that might indicate neglect

- Talking about being left alone or unsupervised
- Avoiding friends and socialising
- Failing to attend dentist and medical appointments
- Complaining about being tired all the time
- Chronic running away
- Compulsive stealing
- Scavenging for food
- Frequent lateness/non-attendance at school
- Low self-esteem
- Destructive tendencies

2. Adults

A adult at risk is a person aged 18 years or over who is or may be in need of community care services by reason of mental or other disability, age or illness, and who is, or may be, unable to take care of himself or herself, or unable to protect himself or herself against significant harm or serious exploitation. This means someone who:

- has a learning disability;
- has a mental health problem including dementia;
- is an older person with care or support needs;
- is physically frail or has a chronic illness;
- has a substance misuse problem.
- has a physical or sensory disability.

Examples of Financial or Material Abuse

- Theft of money, property or possessions
- Misuse of money or insurance
- Gaining money or possessions by threat, persuasion or undue influence
- Blocking access to assets
- Forced property transfers or changes to will
- Falsifying financial records

- Allowance is cashed but the person has no money
- Unpaid or overdue bills
- Lack of amenities the person could well afford, e.g. no food in the house
- Missing personal belongings of value
- Unexplained or excessive withdrawals from bank accounts
- Unexplained disappearance of financial documents
- Misuse of money by Power of Attorney, e.g. care fees not paid
- Carers appear to have total control when the person could manage their own finances
- Person is prevented from moving to residential care by family
- Lax financial records in a care setting.

Neglect in adults

Neglect is the failure of any person having the responsibility, charge, care or custody of a vulnerable person to provide that degree of care which a reasonable person in a like position would provide. Neglect can involve intentional or unintentional acts. It includes the unintentional failure of a carer to fulfil their caring role or responsibilities, because of inadequate knowledge or understanding the need for services.

- Failure to assist in personal hygiene or the provision of food, shelter, clothing.
- Failure to provide medical intervention for physical and mental health needs (this does not include instances in which a person refuses treatment).
- Failure to protect from health and safety hazards
- A lack of personal care and/or lack of management of continence
- Malnutrition
- Confining to a room on their own
- Restricting or preventing social contact with friends or relatives
- Denying access to services.

Sexual abuse in adults

Adult sexual abuse refers to the direct or indirect involvement of a adult at risk in sexual activity to which they are unwilling or unable to give informed consent, or which they do not fully comprehend, or which violates the social taboos of family roles, e.g. incest.

- Involvement in sexual activities without consent or understanding (due to lack of capacity)
- Rape
- Actual or threatened sexual assault
- Masturbation of either or both persons
- Non-contact abuse, e.g. indecent exposure, teasing, innuendo
- Photography, pornography
- Difficulty walking or sitting
- Torn, stained or bloody underclothes or bedding
- Bruises or bleeding in genital areas or mouth
- Pain, itching or swelling in genital areas.
- Semen staining on clothing or bedding.
- Recurrent urinary tract infection
- Pregnancy
- Self- injury.
- Mood changes and untypical behaviour
- Refusing medical examination
- Disturbed sleep pattern or nightmares

- Display overt sexual behaviour or use sexual language.

Emotional and psychological abuse in adults

Emotional or psychological abuse is the infliction of mental suffering, by a person in a position or expectation of trust, to a vulnerable person.

- High levels of anxiety/stress especially in response to certain individuals or circumstances, e.g. self-mutilation, head banging and hand biting
- Passivity
- Agitation
- Confusion
- Resignation
- Fear
- Signs of depression, such as suicidal ideation
- Sleep disturbances
- Changes in appetite
- Loss of interest in pursuing social contact
- An air of silence in the home when the alleged abuser is present.

Physical abuse in adults

Physical abuse is any physical pain, suffering or injury inflicted by a person who has responsibility, charge, care, or custody of, or who stands in a position of or expectation of trust to a vulnerable person.

- Signs of hair pulling
- Any fracture without a satisfactory explanation of accident
- Poor skin condition
- Poor skin hygiene
- Untreated pressure sores
- Ulcers, bedsores, and being left in wet clothing
- Dehydration and/or malnutrition without illness related cause, and when not living alone
- Significant weight loss
- Hypothermia
- Uncharacteristic behaviour
- Confusion
- Insomnia.

Appendix C – Safe Working Practices

Safeguarding is a wider concept than the protection of children and adults at risk and deals with:

- physical, emotional and mental health;
- protection from harm and neglect;
- social and economic wellbeing;
- participation in education, training and leisure;
- contribution to society.

All councillors, employees, volunteers or contracted service providers who come into contact with children in a professional capacity should follow these working practices which will contribute to safeguarding.

Do:

- Avoid lone working with a child unless necessary.
- Work in an open environment where others can see you and the child or young person.
- Ensure that every interaction with a child is respectful and the child's dignity and welfare is prioritised.
- Be a good role model – do not smoke, drink alcohol, be under the influence of drugs, swear or sexualised language.
- Be clear about your job role and do not befriend a child/young person or make any arrangements to have any form of contact (face to face, text, telephone, social media) outside of the professional relationship.
- Store all information about a child, including photographs and films, in a locked drawer or cupboard within the workplace. Do not take information outside of the workplace without the agreement of your manager.
- Make a written record of any accidents or injuries sustained by a child in your presence.
- Listen to a child if they make an allegation and follow the referral procedure.

Do not:

- Photograph or film children/young people without written consent from a person with parental responsibility.
- Place any pictures or comments about children on social media sites unless specifically related to and approved for council activities.
- Assist children with personal care unless specifically appointed and trained to do so.
- Invite children to your home or social events that are not connected with council business.
- Touch children or encourage them to touch.

APPENDIX D – Links

David Johnston, Interim Head of Childrens Services

Louise Barry, Head of Adults Services (Operations)

Michael Gedrim - Additional Learning Needs Manager

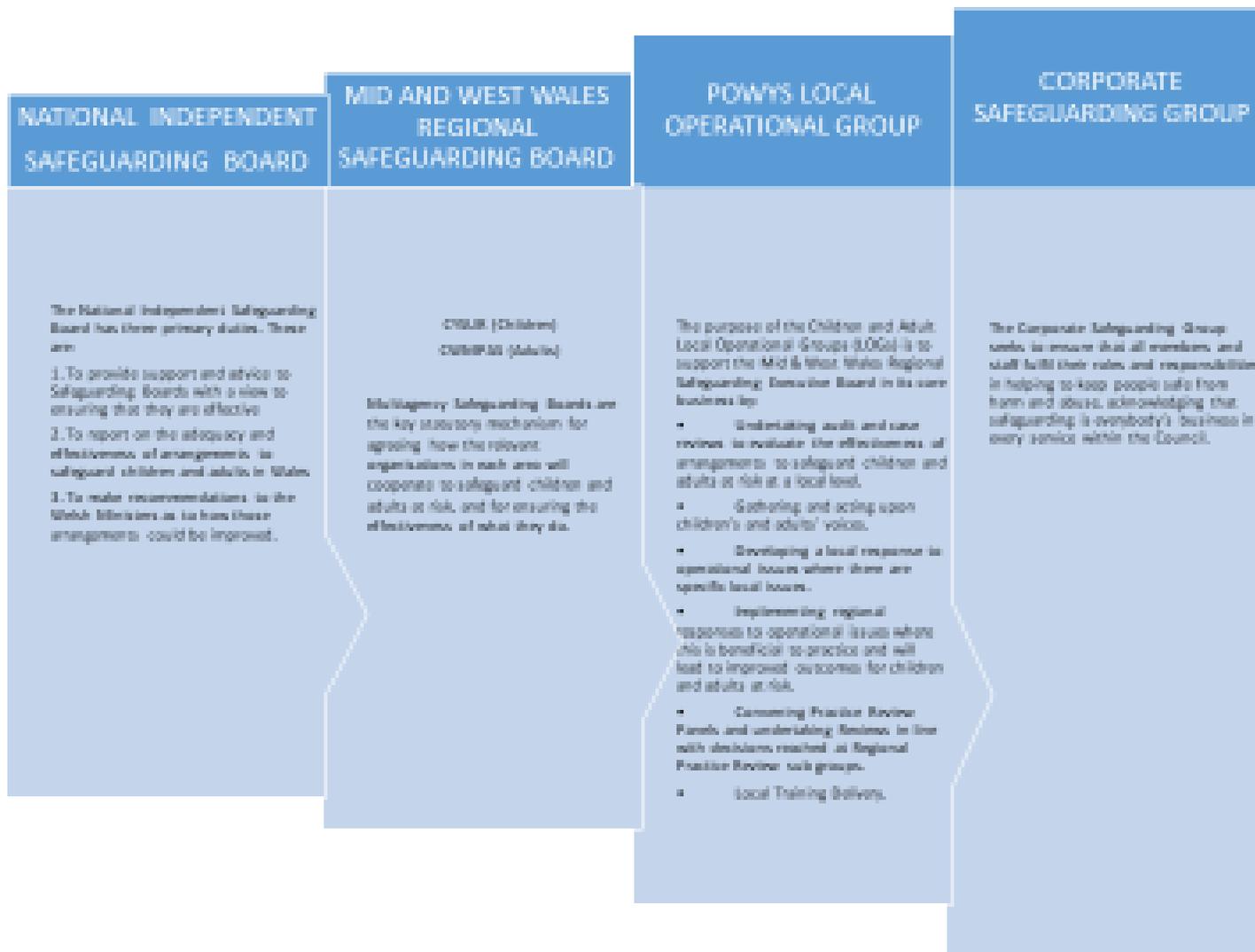
Lorna Simpson Acting Professional Lead – HR

Dylan Owen, Head of Transformation Adult Services

Stuart Mackintosh, Head of Leisure and Recreation

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SAFEGUARDING BODIES



Safeguarding

1 Introduction

This is a summary of the areas of the Social Services and Well-being (Wales) Act, regulations and statutory guidance that relate to safeguarding. This summary forms part of the suite of learning materials that have been developed to support the implementation of the Act. It is intended for anyone who would like to know more about safeguarding under the Act.

2 Context

Safeguarding is everyone's business and practitioners in all agencies need to recognise and act when they identify children and adults at risk. There are some groups of people who need more detailed knowledge of Part 7 of the Act, which is specifically about safeguarding, and how other parts of the Act relate to safeguarding because they have specific duties and responsibilities:

- Practitioners in adults' and children's services in **local authorities** (or organisations they have delegated functions to) and practitioners in **relevant partner agencies** – police, probation, youth offending teams, local health boards and NHS trusts – need to know what must and should be done to safeguard people
- **Other agencies** such as housing and the voluntary sector, need to understand how to work to support safeguarding under the Act
- Local authority and relevant partner agency leaders who are involved in **Safeguarding Boards** will need to understand and implement areas relating to Board.
- **Members** of the **National Independent Safeguarding Board** will need to fully understand the guidance and regulations of Part 7 of the Act to enable them to report to Ministers and work effectively with Safeguarding Boards

The Act strengthened and built on existing safeguarding practice in Wales to ensure that people are able to live their lives to the full. The Act has an overarching duty to promote the well-being of people who need care and support. In the Act well-being is defined with eight common aspects, one of which is protection from abuse and neglect. In relation to a child, well-being also includes their physical, intellectual, emotional, social and behavioural development; and their welfare (ensuring they are kept safe from harm).

There are some other overarching duties in the Act. Practitioners have to have regard to people's individuality, dignity and their views, and support them to participate, including considering whether advocacy support is necessary. Practitioners must promote adults' independence and promote the upbringing of the child by the child's family where possible. Practitioners must also have regard to the United Nations Principles for Older Persons, Part 1 of the United Nations Convention on the Rights of the Child, the United Nations Convention on the Rights of Disabled People, as well as the European Convention on Human Rights.

2.1 Links to the rest of the Act

Other parts of the Act link to the duty to protect people from abuse and neglect, and to protect children from harm. Local authorities must:

- provide services that contribute towards preventing people suffering from abuse or neglect harm, and information and advice on how to raise concerns;
- assess people's needs, even if they refuse assessment, if abuse, neglect or harm (for children) is suspected;
- automatically meet needs for people whose needs aren't otherwise eligible if that is necessary to protect them from abuse, neglect or (for children) harm;
- safeguard and promote the well-being of looked after children; and
- actively engage and co-operate with partners to protect people from abuse, neglect or (for children) harm.

3 Adults Pathway



An adult at risk is an adult who is experiencing or is at risk of abuse or neglect, has needs for care and support (whether or not the local authority is meeting any of those needs), and as a result of those needs is unable to protect himself or herself against the abuse or neglect or the risk of it.

There is a duty to report an adult at risk for all relevant partners of a local authority. There is a duty for a local authority to make enquiries if it has reasonable cause to suspect that a person within its area (whether or not ordinarily resident there) is an adult at risk.

4 Adult Protection and Support Orders

The Act introduced adult protection and support orders (APSOs). These are designed to enable a local authority to properly assess whether a person is an adult at risk and, if so, to make a decision about any action that should be taken.

What: Order from a Justice of the Peace to enable private conversation, find out if the person is making decisions freely, and assess whether an adult at risk

Why: Suspicion that adult is at risk, order needed to gain access, order will not result in greater risk

Who for: Authorised officer, constable, others as needed

Where: Specific premises

When: Specific timeframe

How: Guidance sets out considerations about how to use this well

To grant an order there needs to be reasonable cause to suspect that a person is an adult at risk, and that the order is needed to be able to assess them, and that using the order will not result in their being at greater risk of abuse or neglect. APSOs are only to be used in exceptional circumstances where other attempts to speak to the adult considered to be at risk have failed.

5 Children's Pathway



A child at risk is a child who is experiencing or is at risk of abuse, neglect or other kinds of harm, and has needs for care and support (whether or not the local authority is meeting any of those needs).

There is

a duty to report a child at risk for all relevant partners of a local authority. There is a duty for a local authority to make enquiries (linking into section 47 of the Children Act) if they are informed that a child may be at risk; and to take steps to ensure that the child is safe.

6 Safeguarding Boards

The Act established Safeguarding Children and Adults Boards across Wales. Boards have two main roles: prevention and protection. There is representation on Boards from a range of statutory agencies, such as health, probation and the police, not just local authorities. Children's and Adult Safeguarding Boards have responsibility to review practice and to disseminate information on best practice. Safeguarding Boards should ensure that national policies and procedures are relevant and fit for purpose. They should also ensure that service recipient participation is embedded into their work. In particular, Boards must publish a plan each financial year setting out what they intend to do, and a report on progress and work achieved at the end of that year. They can also ask for, and be asked for, information from partner agencies.

7 Summary

The Act sets out what must and should be done to safeguard children and adults. Statutory guidance and regulations provide more information and should be followed. People must act lawfully. They should act in ways that reflect good practice based on what service recipients and carers have said they want and need, on practice experience, and on research. It is important to identify actions you can take that will lead to good, lawful practice. This will help to strengthen and build on safeguarding practice in Wales.