

**Agenda Item No:** 7  
**Report To:** Cabinet  
**Date:** 14 April 2016  
**Report Title:** Safeguarding Policy  
**Report Author:** James Hann, Health, Parking and Community Safety Manager  
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**Portfolio Holder:** Bernard Heyes, Highways, Wellbeing and Safety



**Summary:** Recent changes in national policy, most notably the introduction of the Care Act 2014 have prompted a review of the council's existing safeguarding policy.

The purpose of this policy - and its associated procedures - is to protect and promote the welfare of children, young people and adults at risk using or receiving services provided or commissioned by Ashford Borough Council.

The policy has been brought up to date to align with changes in national policy, best practice from around the county and across the council, local working arrangements with the relevant statutory partners and following a recent internal audit of the council's safeguarding arrangements.

Ashford Borough Council believes that safeguarding is 'everybody's business' and is committed to ensuring children, young people and adults at risk are protected from abuse and are provided with opportunities to thrive. As a part of this ambition, officers have undertaken a programme of work to revise the council's policy and procedures, embrace best practice, and support members, employees and volunteers to deliver our responsibilities around this agenda.

**Key Decision:** NO

**Affected Wards:** All

**Recommendations:** **The Cabinet be asked to:-**

- i. Approve the revised Safeguarding Policy**
- ii. Authorise the Head of Health, Parking and Community Safety to approve minor amendments**

**to the policy in the line with working arrangements.**

**Policy Overview:**

The Children Act 1989 states that the child's welfare is paramount and that every child has a right to protection from abuse, neglect and exploitation. Statutory guidance on making arrangements to safeguard and promote the welfare of children under Sections 10, 11 and 13 of the Children Act 2004 specifies what is required of Ashford Borough Council.

The Care Act 2014 codified the principle of wellbeing and placed safeguarding adults' duties on a statutory basis. Ashford Borough Council policies and procedures are governed by this Act, which provides the legal framework for how local authorities (in this case Kent County Council) and other parts of the system such as relevant partners (which includes Ashford Borough Council as a district council) should protect adults at risk of abuse or neglect.

The Counter-Terrorism Act 2015 dictates that local authorities are vital to the Prevent work which exists to reduce the risk of people being drawn into terrorism, while under the Modern Slavery Act 2015 Ashford Borough Council has a statutory duty to report and provide notification to the National Crime Agency about any potential victims of modern slavery or trafficking.

Taken together, these pieces of legislation provide local authorities and their partners with strong responsibilities to the general safeguarding of both children and adults at risk.

**Financial Implications:**

None

**Community Impact Assessment**

Attached

**Other Material Implications:**

None

**Background Papers:**

N/A

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## **Agenda Item No. 7**

### **Report Title: Safeguarding Policy**

#### **Purpose of the Report**

1. The purpose of this policy - and its associated procedures - is to protect and promote the welfare of children, young people and adults at risk using or receiving services provided or commissioned by Ashford Borough Council.
2. The policy has been brought up to date to align with changes in national policy, best practice from around the county and across the council, local working arrangements with the relevant statutory partners and following a recent internal audit of the council's safeguarding arrangements.

#### **Background**

3. Over the last few years the safeguarding agenda has become increasingly high profile. In response to this, duties placed on councils and other agencies have been extended. Whereas previously the focus was on the safeguarding of children and vulnerable adults, responsibilities now encompass domestic abuse, child sexual exploitation, honour based abuse and forced marriage, including female genital mutilation and Prevent (the government's counter terrorism strategy).
4. The introduction of the Care Act 2014, which came in to effect from April 2015 and national guidance including "Working Together" have prompted a review of the existing safeguarding policy.
5. In response, the council has developed this over-arching safeguarding policy, to provide a clear understanding of its approach and to provide reassurance to the local community that the council is responding appropriately to this increasingly developing landscape.
6. The policy supports the council, its officers, elected members and volunteers in fulfilling their statutory responsibilities under the Care Act 2014, the Children Act 2014 and the Working Together to Safeguard Children 2015 statutory guidance.
7. In considering local working arrangements, any policy developed by the council should be compliant with the revised Kent safeguarding procedures. At a county level, there are distinct arrangements for safeguarding adults, and safeguarding children and young people.
8. The council aims to ensure that, by developing this policy, an overarching approach to safeguarding exists within all services across the council and outlines roles and responsibilities to work together with other professionals and agencies to safeguard children and vulnerable adults within the borough.

## **The Policy**

9. As noted above, the policy (see Appendix B) has been brought up to date to align with changes in national policy, local working arrangements with the relevant statutory partners and following a recent internal audit of the council's safeguarding arrangements.
10. The new policy has clear cross-referencing to other council policies or external websites. The key changes are:
  - a. The inclusion of specific references to the Care Act 2014, in particular the definition of an "adult" for the purposes of safeguarding
  - b. Changes to key staff and responsibilities following a recent review of responsibilities.
  - c. For brevity, areas of policy have either been removed or covered by reference to detailed procedures available online.
11. Crucially, the council's notification procedures now also align fully with those of the Kent's Adult and Children Safeguarding Boards.

## **Monitoring and Reporting**

12. A corporate Safeguarding Working Group will meet quarterly (or as required), and its minutes distributed both to the council's Management Team and relevant Kent-wide Safeguarding Boards.
13. The designated safeguarding lead will provide a written update to the council's Management Team every six months.
14. The Overview and Scrutiny Committee will review the council's overall response to the Safeguarding audit, and any subsequent legislative changes – with a report to be considered by the Committee in March 2017.

## **Community Impact Assessment**

15. Attached (Appendix A)

## **Other Options Considered**

16. There are no alternative options if the council is to deliver a robust response to safeguarding. If Cabinet chooses not to approve this policy, there is potential for the local community and partners to view the council as having disregard for the safeguarding agenda. Employees, members, volunteers and those contracted to deliver services on behalf of the council will also be

unclear as to what is expected of them in this regard and the importance of safeguarding to the council.

## **Consultation**

17. In January 2016 the council's Management Team considered and approved updated Personnel policies, revised in light to the recent legislative and policy changes relating to safeguarding.
18. In March 2016 the Joint Consultative Committee also received and approved these changes, noting that they have no adverse impact on the council's staff.
19. A complementary training strategy for all staff has been developed and agreed, and was rolled-out across the council from March 2016.

## **Conclusion**

20. The policy underpins Ashford Borough Council's commitment to safeguarding, and to the principle that it is 'everyone's business'. As such, this revised policy applies to all employees, councillors and those contracted to deliver services on behalf of the council and will be supported by associated procedures and complementary training.
21. The Safeguarding Policy will ensure that the council is exercising fully its responsibilities in this important area, ensuring that the welfare of children, young people and adults, in order to protect them from abuse, neglect and/or exploitation.
22. The council works in partnership with Kent County Council and the Kent Safeguarding Boards and the policy will be reviewed annually or sooner if there is a change in legislation or government guidance.

## **Portfolio Holder's Views**

23. The Portfolio Holder will provide his comments at the Cabinet meeting.

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**Appendix A:** Community Impact Assessment  
**Appendix B:** Ashford Borough Council Safeguarding Policy

## Appendix A – Community Impact Assessment



### When is an assessment needed?

Councils must assess the impact of ***proposed policies or practices*** while they are being developed, with analysis available for members before a decision is made (i.e. at Cabinet).

Broadly, *policies and practices* can be understood to embrace a full range of different activities, such as Cabinet decisions which substantially change the way in which we do something, setting budgets, developing high-level strategies, and organisational practices such as internal restructuring. Assessments should especially be undertaken if the activity relates closely to an equalities group (see next page).

1. General Information	
1.1 Name of project, policy, procedure, practice or issue being assessed	Safeguarding Policy
1.2 Service / Department	Health, Parking and Community Safety
1.3 Head of Service	Sheila Davison, Head of Health, Parking and Community Safety
1.4 Assessment Lead Officer	Nick Clayton, Policy and Performance Officer

1.5 Date of Assessment	21/03/2016
1.6 Is this assessment of an existing or a proposed project, policy, procedure, practice or issue?	Proposed Policy

<b>2. What is Being Assessed?</b>	
2.1 What are the aims of this project, policy, procedure, practice or issue?	<p>The purpose of this policy - and its associated procedures - is to protect and promote the welfare of children, young people and adults at risk using or receiving services provided or commissioned by Ashford Borough Council.</p> <p>Ashford Borough Council believes that safeguarding is 'everybody's business' and is committed to ensuring children, young people and adults at risk are protected from abuse and are provided with opportunities to thrive.</p>
2.2 Who is intended to benefit from this project, policy, procedure, practice or issue?	All residents and those receiving services provided or commissioned by Ashford Borough Council, but specifically children, young people and adults at risk.
2.3 Who else is involved in the provision of this project, policy, procedure, practice or issue? i.e. other sections, public or private bodies	
- within Ashford BC	<p>Safeguarding Lead Officers will hold responsibility for safeguarding within different areas of the council's operations –</p> <ul style="list-style-type: none"> <li>• Domestic Abuse</li> <li>• Child Sexual Exploitation</li> <li>• Prevent</li> </ul>

	<ul style="list-style-type: none"> <li>• Adults at risk</li> <li>• Children</li> <li>• Commissioning &amp; procurement</li> </ul>			
- from other agencies	Relevant pan-Kent safeguarding boards.			
<b>4. What judgements can we make?</b>				
4.1 Does the evidence already available indicate that the project, policy, procedure, practice or issue may affect these groups differently? (please check the relevant box and provide evidence where possible)	Positive Impact?	Negative Impact?	No Differential Impact	If negative, can it be justified (and how)?
<b>Impact Factors:</b>				
<b>Age</b> (please detail any specific groups considered)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>Disability</b> (please detail any specific groups considered)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>Gender</b> (please detail any specific groups considered)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	



considered)				
<b>Gender Reassignment</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>Marriage / Civil Partnership</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>Pregnancy &amp; Maternity</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>Race</b>  (please detail any specific groups considered)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>Religion / Belief</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>Sexual Orientation</b>  (please detail any specific groups considered)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>Other (please specify)</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>5. Conclusions</b>				
5.1 Does the decision maximise opportunities to promote equality and good inter-group relations? If “yes” please state how?			<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
5.2 Based on the answers to the above can we confidently say that in its present form the decision treats different groups <u>fairly</u>			<input checked="" type="checkbox"/> Yes	

(bearing in mind “fairly” may mean differently) and that no further amendment is required?	<input type="checkbox"/> No
<b>If further action is identified to ensure fair impacts please complete the Action Plan available on the intranet and attach it to this form</b>	

<b>6. Monitoring and Review</b>	
How will monitoring of this policy, procedure or practice be reported (where appropriate)?	A corporate Safeguarding Working Group will meet quarterly (or as required), and its minutes distributed both to the council’s Management Team and relevant Kent-wide Safeguarding boards. The Overview and Scrutiny Committee will review the council’s overall response to the Safeguarding audit, and any subsequent legislative changes – with a report to be considered by the Committee in March 2017.
When is it proposed to next review the project, policy, procedure, practice or issue?	Senior manager leads will undertake a review of this Safeguarding Policy every six months, or as required. This monitoring will report to the council’s Management Team.
Any additional comments?	N/A

# Appendix B

## Ashford Borough Council

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### SAFEGUARDING POLICY

## Contents

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## Summary and Purpose

Safeguarding is the process of protecting children, young people and adults at risk from abuse or neglect, preventing impairment of their health and development, and ensuring they are growing up and developing in circumstances consistent with the provision of safe and effective care - enabling them to have optimum life chances.

As such, the purpose of this policy - and its associated procedures - is to protect and promote the welfare of children, young people and adults at risk using or receiving services provided or commissioned by Ashford Borough Council. This policy supports the Council, its officers, elected members and volunteers in fulfilling their statutory responsibilities. Ashford Borough Council (from hereon referred to as 'the Council') is not a Children's Services Authority and it is not the role of the Council to investigate allegations of abuse. However, all Elected Members (from hereon referred to as 'Members'), employees, volunteers and contracted services providers have a clear responsibility to take action when they suspect or recognise that a child, young person or adult at risk may be a victim of significant harm or abuse.

***Ashford Borough Council believes that Safeguarding is 'everybody's business' and is committed to ensuring children, young people and adults at risk are protected from abuse and are provided with opportunities to thrive. As a part of this ambition, we have undertaken a programme of work to revise our policy and procedures, embrace best practice, and support Members, employees and volunteers to deliver our responsibilities around this agenda. We will monitor our progress, make improvements and work closely with partners to ensure that Safeguarding is a cornerstone of our services.***

In practical terms, this policy demonstrates how Ashford Borough Council will meet its legal obligations and reassure members of the public, service users, Members, employees, volunteers and those working on behalf of the Council:

- a) What they can expect the Council to do to protect and safeguard children, young people and adults at risk – but also equally what elements are *not* the Council's responsibility
- b) That they are able to safely voice any concerns through an established procedure
- c) That all reports of abuse or potential abuse are dealt with in a serious and effective manner

- d) That there is an efficient recording and monitoring system in place
- e) That Members, employees, volunteers and contractors receive appropriate *training*
- f) That robust 'safer' *recruitment* procedures are in place

## Background & Legal Duties

Safeguarding has long been a consideration for the protection and support of **children**. The Children Act 1989 states that the child's welfare is paramount and that every child has a right to protection from abuse, neglect and exploitation. Statutory guidance on making arrangements to safeguard and promote the welfare of children under Sections 10, 11 and 13 of the Children Act 2004 specifies what is required of the Council, including:

- Senior management commitment to the importance of safeguarding and promoting the welfare of children and young people
- A clear statement of the council's responsibilities towards children and young people be available for staff, members, volunteers, contracted services and the public
- A clear line of accountability within the organisation for reporting safeguarding concerns
- Service development that takes account of the need to safeguard and promote welfare – and is informed by the views of children, young people, and their families
- Safe recruitment procedures
- Training on safeguarding and promoting the welfare of children and young people available for all members, staff and volunteers commensurate with the level of their contact with children and young people
- Clear protocols on safe working practice known to members, staff and volunteers
- All contracted services and grant funded organisations have appropriate safeguarding policies and procedures in place, commensurate with their level of contact with children and young people
- Safeguarding policies and procedures of contracted services and grant funded organisations are regularly monitored
- Effective inter-agency working to safeguard and promote the welfare of children and young people

- Effective information sharing
- The voice of children and young people is heard in service planning, decision-making and service delivery

Under the Children Act 2004 and Working Together to Safeguard Children 2015 (statutory guidance on inter-agency working to safeguard and promote the welfare of children), the Council has a duty to co-operate with Kent County Council (KCC) in discharging its duties as a Children's Services Authority and to promote the well-being of children and young people.

More recently, the Care Act 2014 added responsibility for **adult** safeguarding into legislation – codifying the principle of wellbeing and placing safeguarding adults duties on a statutory basis. The Council's policies and procedures are governed by this Care Act, which provides the legal framework for how local authorities (in this case Kent County Council) and other parts of the system such as relevant partners (which includes the Council as a district authority) should protect adults at risk of abuse or neglect.

The Council has a duty to co-operate with KCC in the exercise of:

- their respective functions relating to adults with needs for care and support
- their respective functions relating to carers, and
- functions of theirs, the exercise of which is relevant to functions referred to in the two points above

Moreover, the Care Act sets down a general duty on all local authorities to promote well-being in relation to how adults are treated - and the following must form part of that:

- personal dignity and respect
- physical and mental health and emotional well-being
- protection from abuse and neglect
- control by an adult over their day-to-day life (including care and support and how it is provided)
- participation in work, education, training or recreation
- social and economic well-being

- domestic, family and personal relationships
- suitability of living accommodation
- the individual's contribution to society

In exercising this function the local authority must have regard to:

- the importance of beginning with the assumption that the adult is best-placed to judge their own well-being
- the adult's views, wishes, feelings and beliefs
- the importance of preventing or delaying the development of needs for care and or support and the importance of reducing needs that may already exist
- the need to ensure that decisions about an adult are made having regard to all of their circumstances and are not based only on age, appearance, condition or behaviour which might lead others to make unjustified assumptions about the adult's well-being
- the importance of the adult participating as fully as possible in decisions and being provided with the information and support to enable this to happen
- achieving a balance between the adult's well-being and that of their representative, involved in care
- the need to protect people from abuse and neglect
- the need to ensure that any restriction on the adult's rights or freedom is kept to the minimum

The Care Act places a requirement (Section 42) on a local authority, to make or cause safeguarding enquiries, *if there is concern that an adult with care and support needs (met or unmet) is experiencing, or is at risk of abuse and or neglect.* This applies regardless of mental incapacity or capacity and setting. The safeguarding duties need to establish the desired outcomes for the adult (or their representative) and their wishes regarding actions that may need to be taken to stop or prevent the abuse or neglect and if so by whom.

The Counter-Terrorism Act 2015 dictates that local authorities are vital to the Prevent work which exists to reduce the risk of people being drawn into terrorism. Local authorities must use the existing counter-terrorism local profiles (CTLPs) provided by Kent Police, to assess the risk of individuals being drawn into terrorism. The Council



incorporates this duty into existing policies and procedures to fulfil safeguarding responsibilities - ensuring there are clear and robust policies to identify and safeguard children, young people and adults at risk. Furthermore, the Council has developed a Prevent action plan should there be a risk identifying interventions to be actioned. The Council must also ensure that appropriate frontline staff, including those of its contractors, have a good understanding of Prevent and are trained to recognise vulnerability to being drawn into terrorism and are aware of available programmes to deal with the issue.

Under the Modern Slavery Act 2015 the Council has a statutory duty to report and provide notification to the National Crime Agency about any potential victims of modern slavery or trafficking that staff encounter. Adult victims are able to remain anonymous should they wish to do so. The Council is under a duty to co-operate with the Commissioner.

Taken together, these pieces of legislation provide local authorities and their partners with strong responsibilities to the general safeguarding of both children and adults at risk.

## The Scope of Safeguarding

*All organisations need to listen and be responsive to the diverse needs of children, young people and their families, and adults at risk – and to recognise that safeguarding people from harm must be everyone’s business.*

### Definitions

A number of services are easily identifiable as having direct responsibility for working with children, young people and adults at risk. However, the Council recognises that there are many other occasions where any staff may come into contact with children and adults at risk. As such, this policy is for **all staff** that may come into contact with children, young people or adults at risk in the course of their work, whether in someone’s home, on Council premises, or in the community – this is why safeguarding is everyone’s business. Those posts with enhanced safeguarding aspects will be identified, and their extent of their contact with children, young people and adults at risk regularly reviewed.

The phrase **safeguarding and promoting welfare** is defined as:

- Protecting children, young people and adults at risk from maltreatment
- Preventing impairment of a child, young person or adults at risks’ health or development
- Ensuring that children and young people are growing up in circumstances consistent with the provision of safe and effective care
- Undertaking that role so as to have optimum life chances and to enter and participate in adulthood successfully

This policy defines the following:

- **Children and young people:** Under 18 years of age or stated (‘vulnerable’) young people under the age of 25.
- **Adults at risk:** Any person aged 18 years and over who is or may be in need of community care services by reason of mental health issues, learning or physical disability, sensory impairment, age or illness and who is or may be unable to take care of him/herself or unable to protect him/herself against significant harm or serious exploitation.

- **Staff:** Includes all who work with children, young people and adults at risk on behalf of Ashford Borough Council, whether as a permanent or temporary employee, casual worker, volunteer, contractor, or in any other capacity.

**Confidentiality** - Staff should understand that there are limits to confidentiality. These limits relate to ensuring the safety and well being of children, young people and adults at risk. It is essential that any suspicions be reported and followed up, as all officers have a duty towards safeguarding and promoting the welfare of children, young people and adults at risk.

**Inter-agency and partnership working** - Multi agency working is actively promoted through Designated Safeguarding Officer attendance at relevant meetings and sub groups. The details of these arrangements can be found in the *Accountability and Governance* section of this policy. Other multi agency forums such as the Community Safety Unit briefings encourage openness and learning from interventions and are used to inform and improve current and future practice and policies.

## Our Policy Position

*Ashford Borough Council is committed to safeguarding and promoting the welfare of children, young people and adults at risk. We take our protection responsibilities seriously.*

The Council will:

- a) Endeavour to keep residents and service users safe from abuse. Suspicion of abuse will be responded to promptly and appropriately. We will always act in the best interests of the child, young person or adult at risk
- b) Proactively seek to promote the welfare and protection of all children, young people and adults at risk living in Ashford at all times
- c) With regard to recruitment, ensure that unsuitable people are prevented from working with children, young people and adults at risk through robust 'safer recruitment' procedures
- d) Deal with any concern raised by a Member, employee, volunteer, contracted service provider, or member of the public appropriately and sensitively
- e) Safeguarding referrals made by a Member, employee, volunteer or contracted service provider cannot be anonymous and should be made in the knowledge that, during the course of enquiries, the referrers may be required as prosecution witnesses
- f) Not tolerate harassment of any Member, employee, volunteer, contracted service provider or child, young person or adult at risk who raises concerns of abuse or neglect
- g) Work in co-operation with KCC as required under the relevant legislation and will make appropriate changes and amendments to improve the Council's safeguarding policies and procedure in light of changes to the legislative framework or as recommended by the relevant multi-agency Safeguarding Board
- h) Prevent abuse by using good practice to create a safe and healthy environment and avoid situations where abuse or allegations of abuse could occur
- i) Establish an appropriate governance structure, which proactively engages with responsible officers from appropriate departments across the Council to monitor activity and make necessary improvements around this agenda, led by the Designated Safeguarding Officer. Where appropriate, this work will be reported on regularly to the appropriate safeguarding boards, Management Team and Members

The key responsibility for safeguarding lies with the County Council, and it is important to note the following:

- It is **not** the responsibility of any borough council member, employee, volunteer or contracted service provider to determine whether abuse is or has taken place
- The role of the member, employee, volunteer or contracted service provider is to *inform*, not to *investigate* or *judge*
- The district council is not responsible for investigating any safeguarding incidents or allegations, involving a child, young person or adult at risk
- If presented by a safeguarding concern, all that *most* staff who do not engage with safeguarding on an enhanced basis will need to do is record the details on LOCATA as soon as possible, and liaise with the Designated Safeguarding Lead, a Safeguarding Lead Officer or their line manager in order to inform the relevant authority regarding the safeguarding incident. Discrete procedures for those involved with safeguarding more intensively can be found in the *Safeguarding Procedures Pack*
- Where district councils are engaged with partner agencies around cross-cutting issues such as domestic violence, tackling racism and hate crimes or troubled families, issues regarding safeguarding may also emerge and need to be considered by these agencies or partners

Ashford Borough Council delivers a range of services and activities that directly and indirectly engage with children, young people and adults at risk. It is our aim to promote and support such services in order to help residents achieve better outcomes. We want our staff and our services to have a protective ethos. All children, young people and adults at risk, whatever their age, culture, disability, gender, language, racial origin, religious belief and/or sexual identity have the right to protection against abuse. We will also promote the safeguarding of children, young people and adults at risk across all the services that affect them, and we will continue to consult them on policy and service delivery in order to effectively shape our services.

## “1,2,3” – Our general approach to Safeguarding

Safeguarding is everyone's business. While Members, employees, volunteers and contracted services providers have varied levels of contact with children, young people and adults at risk as part of their duties and responsibilities for the Council, everyone should be aware of the potential indicators of abuse and neglect and be clear about what to do if they have concerns. This general policy therefore applies to **all staff**. All staff are responsible for ensuring that the activities in which they are involved during the course of their work are carried out in accordance with this general policy and related procedures. Safeguarding is included within the Conditions of Service of all staff.

Email bulletins and staff briefings will seek to remind staff of Safeguarding responsibilities on a regular basis. Appendix 1 to this general policy sets out key guidance on spotting the signs of abuse and neglect and what to do if staff encounter safeguarding situations.

Whilst all staff are covered by at least category '1', on a day-to-day basis, the further categories '2' and '3' reflect the different levels of engagement with safeguarding across the organisation. All officers will have access to guidance, e-learning and other general resources which support this general Safeguarding policy. Officers under categories '2' and '3' will receive enhanced training and guidance regarding Safeguarding – as set out within the specific procedures related to these areas (our approach to staff training etc.). These three categories also help the Council highlight specific safeguarding actions to be included in Job Descriptions. This information will be used to identify training requirements and posts that require enhanced Disclosure and Barring Service (DBS) checks.

### **Category 1 – Staff, Members, volunteers or contractors with -**

**Ad hoc contact** in public places (e.g. Customer Services, back-office support services). Would never be left alone with a child, young person or adult at risk.

### **Category 2 – Staff, Members, volunteers or contractors with -**

The likelihood of coming into contact with 0-18 year olds, young people or adults at risk through the nature of the role and could be exposed to lone contact, but **no responsibility for supervision** (e.g. housing officers, home visiting, site workers).

### **Category 3 – Staff, Members, volunteers or contractors with -**

Responsibility for the **supervision** of 0-18 year olds, young people or adults at risk as part of their role (e.g. youth workers, lifeguards, events staff).

### **What to do if you have any Safeguarding concerns**

**Safeguarding is ‘everybody’s business’**. Ashford Borough Council’s general safeguarding procedures can be found in **Annex 1**.

## Further specific procedures

This general safeguarding policy (and general safeguarding procedure set out in Appendix 1 (which covers all staff – especially those in Category 1, alongside Members) is underpinned and supported by a range of discrete safeguarding procedures in areas which have an enhanced relationship with the safeguarding agenda. These typically cover Category 2 and 3 officers, certain volunteers and contractors, and are available in full as the *Safeguarding Procedures Pack* – but are listed below. This general policy should be read in conjunction with these documents as appropriate.

## Referral procedures

Ashford Borough Council will follow the Kent-wide referral procedures as set out in Kent County Council's "*Multi-agency Safeguarding Adults Policy, Protocols and Guidance for Kent and Medway*" and "*Kent and Medway Safeguarding Children Procedures*".

## Recruitment

The council's *Recruitment and Selection Policy and Procedure* together with the *Employment of Ex-Offenders Policy* takes into account our safeguarding responsibilities for 'safe recruitment', and includes additional checks to ensure that current legislation and best practice is being followed in the recruitment of staff in key posts affected by safeguarding legislation, namely those working in regulated activities relating to children and adults at risk (or both). The *Employment of Ex-Offenders Policy* reflects the process that is followed with regard to DBS checks.

## Training

All staff who have enhanced contact with children, young people and adults at risk will undertake regular, compulsory training on safeguarding and promoting welfare in line with the level of contact and responsibility they have.

The details of this training programme are contained within a Safeguarding Training Schedule.



## Dealing with complaints and allegations of abuse

It is essential that the Council has clear procedures for dealing with allegations against members of staff, to ensure they are treated fairly and appropriately and to ensure the Council is complying with its statutory duties.

The Council's Disciplinary Policy takes this into consideration. Staff are given confidence through a positive open culture to 'speak-up' and report any safeguarding (or other) concerns and the *Speak Up* Whistleblowing Policy takes this into consideration.

The corporate Complaints, Comments & Compliments Procedure sets out how we deal with customers who wish to complain; Safeguarding complaints will be directed to the Designated Safeguarding Officer in the first instance.

## Procurement, third party service providers and tenants

*Where the Council works with, commissions or grant-funds other organisations which come into contact with those groups covered by this policy, they will be required to have safeguarding arrangements in place or subscribe to the policies and procedures set out in this policy.*

There is an obligation on the council to ensure that any third party service providers whose services are commissioned, procured or grant funded by the council or who occupy property owned by it discharge their duties under the relevant legislation. As noted above, this general policy statement on safeguarding covers all employees of the authority – including contracted service providers. To support this, information about safeguarding and promoting the welfare of children, young people and adults at risk will be distributed to all relevant service providers and Purchase Order Terms and Conditions include a clause around Safeguarding.

All contracts and Service Level Agreements will also take account of the need of those Service Providers in contact with children, young people and adults at risk to be responsible for discharging their duties for safeguarding children, young people and adults at risk.

Grant application forms will also include a requirement for the organisation to supply evidence of their safeguarding policy if responsible for children, young people or adults at risk.

## Accountability and Governance

Ultimately, accountability for safeguarding under the work of Ashford Borough Council falls to the **Chief Executive**. The **Chief Executive** and **Senior Management Team** are responsible for ensuring that this policy and related procedures are implemented, monitored and consistently reviewed. Also, the Chief Executive is responsible for nominating an officer to represent the Council on the Local Child and Adult Safeguarding Boards and relevant subgroups.

The **Designated Safeguarding Officer** is responsible for dealing with reports or concerns about the protection of children, young people and adults at risk appropriately and in accordance with the procedures that underpin this policy.

**Safeguarding Lead Officers** will hold responsibility for safeguarding within different areas of the council's operations –

- Domestic Abuse
- Child Sexual Exploitation
- PREVENT
- Adults at risk
- Children
- Commissioning

**All Members, employees and volunteers** are responsible for carrying out their duties in a way that actively safeguards and promotes the welfare of children, young people and adults at risk. They must also act in a way that protects them from wrongful allegations of abuse as far as possible. They must bring safeguarding concerns to the attention of the Designated Safeguarding Officer.

**Contractors, sub-contractors or other organisations funded by or on behalf of the Council** are responsible for applying the appropriate DBS checks, delivering safeguarding training commensurate with their level of contact with children, young people and adults at risk and ensuring their employees comply with their organisational Safeguarding Policy and Procedures.

Coordination and partnership-working on safeguarding is led by two multi-agency Boards. The Kent Safeguarding Children Board (KSCB) is an independent board

hosted by Kent County Council relating to children, whilst the Kent and Medway Safeguarding Adults Board provides the same responsibilities regarding adults at risk. District councils have a duty to cooperate with the work of these Boards and are expected to fulfil their duties under the Children Act 2004 and the Care Act 2014.

This policy operates within the context of, and supports the policies and procedures of these multi agency Boards.

## **Review and Reporting**

A corporate Safeguarding Working Group will meet quarterly (or as required), and its minutes distributed both to the council's Management Team and relevant Kent-wide Safeguarding boards.

Senior manager leads will undertake a review of this Safeguarding Policy every six months, or as required. This monitoring will report to the council's Management Team.

The Overview and Scrutiny Committee will review the council's overall response to the Safeguarding audit, and any subsequent legislative changes – with a report to be considered by the Committee in March 2017.

## **Annex 1 – General Safeguarding Procedures, ‘Safeguarding is Everybody’s Business’**

### **Introduction**

The procedure for reporting a concern or allegation informs all Council Members, employees, volunteers and those contracted service providers that have accepted this policy, what actions they should take if they have concerns or suspicions, or encounter a case of abuse or neglect in any child, young person or adult at risk.

Even for those experienced in working with child or adult abuse it is not always easy to recognise a situation where abuse may occur or already has taken place. Whilst it is accepted that staff are not experts at such recognition all staff have a duty to act if they have any concerns and discuss with an appropriate Safeguarding representative within the Council.

Abuse is a form of maltreatment that can occur in several forms which are not mutually exclusive. For children, types of abuse include:

- Physical
- Psychological
- Sexual
- Grooming
- Child Sexual Exploitation
- Female Genital Mutilation
- Online Abuse/Cyberbullying/Bullying
- Child Trafficking/Modern Slavery
- Domestic Abuse
- Self-neglect/Self-injurious
- Forced Marriage

Types of adult at risk abuse include:

- Physical
- Psychological
- Sexual
- Exploitation
- Discrimination
- Financial
- Organisational
- Domestic
- Self-neglect/Self-injurious
- Modern slavery/Human trafficking
- Neglect and acts of Omission

- Female Genital Mutilation
- Inappropriate Restraint

Please refer to the procedural guides and information available on the Intranet under 'Safeguarding' or the *Safeguarding Procedures Pack* for further information, advice and the relevant forms.

There are three main situations when Members, employees and contracted service providers may need to respond and report a concern or case of alleged or suspected abuse:

**When a child, young person or adult at risk makes an allegation of abuse or bullying, you should:**

- Stay calm and try to get another witness, if it does not compromise the situation
- If you believe the person is 'at risk' of immediate significant harm, which includes situations which any Member, employee or volunteer would reasonably believe requires the emergency services, **then** you must contact the relevant emergency service and notify the Designated Safeguarding Lead, a Safeguarding Lead Officer or your line manager
- Listen carefully to what is said and allow the person to talk at their own pace, being careful not to compromise potential evidence
- Find an appropriate opportunity to explain it is likely that information will need to be shared with other responsible people, **do not promise to keep secrets**
- Only ask questions for clarification, the use of open questions e.g. what, where, when, who? is advisable, do not ask leading questions (that suggest certain answers as this could compromise evidence)
- Reassure the child, young person or adult at risk that they have done the right thing in telling you
- Tell them what you will do next and who you will inform
- Immediately report to and inform the Designated Safeguarding Officer, Safeguarding Lead, Line Manager or Head of Service (as appropriate and where possible)
- Record all details you are aware of on LOCATA as soon as possible, which is available on the Intranet
- The Designated Safeguarding Officer has a consultation with Kent Contact and Assessment Service (KCAS) or makes formal referral
- Outcome of the consultation/referral to be recorded on LOCATA

*Remember: You may be the first person that a child, young person or adult at risk has trusted and it has probably taken a great deal of courage to tell you that something is wrong*

**When allegations or concerns are expressed about a Member, employee or contracted service provider, you should:**

- Take the allegation or concern seriously
- Record all details you are aware of on LOCATA as soon as possible, which is available on the Council Intranet
- Immediately inform the Designated Safeguarding Lead, a Safeguarding Lead Officer or your line manager
- The Designated Safeguarding Officer, alongside Human Resources will follow the council's "Managing complaints against staff" procedure found within the Personnel's Safeguarding Policy.

**When allegations or concerns are expressed about any other person (e.g. parent, carer, other service user), you should:**

- Take the allegation or concern seriously
- If you believe the child, young person or adult is 'at risk' of immediate significant harm, which includes situations which you would reasonably believe requires the emergency services, then you should contact the relevant emergency service and then notify the Designated Safeguarding Lead, a Safeguarding Lead Officer or your line manager
- Record details on LOCATA, which can be found through the Council intranet
- Consultation with Kent Contact and Assessment Service (KCAS) and/or referral to be made with support from the Safeguarding Officer/Safeguarding Champion/ Line Manager
- Outcome of the consultation/referral to be recorded on the LOCATA

**Who should complete the record on LOCATA?**

It is the responsibility of the person who directly observes or witnesses the event (e.g. living situation) that is being recorded or who has participated in the meeting/conversation, to complete the record. Where this is not possible and records are completed or updated by other people, it must be clear from the record which person provided the information. Preferably, the person with first-hand knowledge should read and sign the record. **There must be clear differentiation between**

**opinion and fact.** Records of actions undertaken must show who was involved, its basis, the date and time.

### **Recording Concerns**

If any Member, employee or volunteer has concerns about the welfare or safety of a child, young person or adult at risk, or has concerns about the behaviour of a Member, employee or volunteer, it is vitally important to record all relevant details regardless of whether or not the concerns are shared with the Police or KCC. Record the details on LOCATA, which the Designated Safeguarding Lead, Lead Safeguarding Officer And Housing staff have access to.

Records may be used for: Evidence for investigations and inquires; Court Proceedings; Monitoring Quality Assurance; and Disciplinary procedures. The Designated Safeguarding Officer will then manage the process and follow guidance on information sharing, confidentiality, consent and making appropriate referrals to KCC.

## Safeguarding 'Quick View' Procedure

