

**Report to:** Cabinet

**Date:** 29 October 2018

**Title:** Review of Safeguarding Children and Vulnerable Adults Policy

**Report of:** Director of Service Delivery

**Cabinet member:** Councillor Elayne Merry

**Ward(s):** All

**Purpose of report:** To seek Members' agreement to the proposed joint Safeguarding Children and Vulnerable Adults Policy

**Decision type:** Key decision

**Officer recommendation(s):** (1) To note the review of Lewes District Council's and Eastbourne Borough Council's Safeguarding Children and Vulnerable Adult policies and procedures carried out in 2018

(2) To approve the new Safeguarding Policy appended to this report

(3) To delegate authority to the Director of Service Delivery in consultation with the Lead Member for People and Performance to make any minor amendments required following consultation.

**Reasons for recommendations:** To update the previous policy bringing into line with recommended practice and with current pan-Sussex policies and procedures.

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## **1 Introduction**

- 1.1 Under the Children Act 2004 the council has a duty to cooperate to improve well-being and safeguard children and promote their welfare. The Working Together to Safeguard Children (DfES, 2018) guidance sets out how organisations and individuals should work together to safeguard and promote the welfare of children.
- 1.2 The role and responsibilities of local authority staff with responsibilities for

children living or present in East and West Sussex and Brighton and Hove are set out in the Pan Sussex Child Protection and Safeguarding Procedures Manual. This includes staff in district and borough councils providing services to children and young people, such as housing and activities for young people. The manual covers key issues for the council, notably on information sharing and confidentiality, referrals and reporting.

1.3 The Pan Sussex Child Protection and Safeguarding Procedures Manual states:

*“Responsibility for the protection of children must be shared because children are safeguarded only when all relevant agencies and individuals accept responsibility and co-operate with one another.”*

1.4 The Pan Sussex Child Protection and Safeguarding Procedures Manual is updated every 6 months to take account of new legislation and guidance and learning from Serious Case Reviews. Recent updates take account of the Care Act 2014 and “Working Together to Safeguard Children” 2015.

1.5 The Care Act 2014 places Safeguarding Adults on a statutory footing. Part 1 of the Act covers responsibilities for Safeguarding and came into force on 1 April 2015.

1.6 The Sussex Multi-Agency Policy and Procedures set out local arrangements for raising and responding to concerns relating to the suspected abuse or neglect of adults.

1.7 Section 6 of the Care Act includes a requirement for cooperation between the Local Authority and each of its relevant partners to protect adults experiencing or at risk of abuse or neglect and to establish a Safeguarding Adults Board.

1.8 An internal review of Lewes District Council and Eastbourne Borough Council’s policies and procedures has been carried out in order to produce a single joint policy that complies fully with the latest legislation and guidance.

1.9 The re-modelling of service roles and responsibilities under the Joint Transformation Project (JTP) has also necessitated a review of lines of responsibility, training procedures and arrangements for information recording, storage and sharing to ensure the council meets the required standards and cooperates effectively with other agencies and in line with locally adopted procedures.

## **2 Proposal**

2.1 Section 11 of the Children Act 2014 places a duty on local authorities to ensure their functions are discharged having regard to the need to safeguard children and promote their welfare. At the request of the Local Safeguarding Children Board (LSCB) a self-assessment was completed in April 2018 to assess the Council’s compliance with current legislation and guidance. In addition, an internal audit has been carried out to identify any gaps in the existing policies and in implementation of these.

2.2 An aligned and revised Safeguarding Policy has been developed based on the findings of these internal reviews and is presented at Appendix 1. Amendments incorporated in the policy cover:

- Aligned procedures to operate across both areas
- Updated details to represent the changes brought about by the JTP
- Inclusion of an e-safety policy
- Addition of Prevent responsibilities and contact details
- Inclusion of responsibilities around private fostering
- Details on Domestic Violence procedures
- Updated information on reporting concerns based on current guidance agreed Pan Sussex procedures; including the role of the Single Point of Advice (SPOA) within Children's Services.

### **3 Outcome expected and performance management**

3.1 Adopting the aligned and updated policy will help ensure that the council is compliant with Pan Sussex Procedures and complies with its legal duties in safeguarding children, young people and vulnerable adults.

### **4 Consultation**

4.1 The East Sussex Local Safeguarding Children Board and the East Sussex Safeguarding Adults Board will be consulted to ensure the proposed policy meets their expectations.

### **5 Corporate plan and council policies**

5.1 The policy and its appendices will provide staff with clear guidelines to ensure that the council's policies and practices comply with current legislation and agreed Pan Sussex procedures. The principles set out in the policy will allow officers to make a judgement about when they should report safeguarding concerns, the procedure for reporting and the roles and responsibilities that different officers have.

### **6 Business case and alternative option(s) considered**

6.1 The alignment of the Lewes District Council and Eastbourne Borough Council's safeguarding policies and procedures is designed to ensure that the policy is robust and is implemented effectively. The amendments from the previous policies are designed to cover all areas in which the council is involved and to minimise the risks to those council services, resources and premises and to council staff, volunteers, contractors and other partners.

6.2 The duty to co-operate quoted in paragraph 1.1 above is a reference to section 10 of the Children Act 2004, which requires local authorities to make arrangements to promote co-operation between the authority, each of their relevant partners, and any other partners, and any other persons the authority considers appropriate with a view to improving the wellbeing of children in the authority's area, in relation to:

- a) Physical and mental health and emotional wellbeing;
- b) Protection from harm and neglect;
- c) Education training and recreation;
- d) The contribution made by those children to society
- e) Social and economic wellbeing.

In making arrangements under this section, a local authority must have regard to the importance of parents and other persons caring for children in the wellbeing of children.

## **7 Financial appraisal**

- 7.1 There are no significant financial or staff resource implications arising from the recommendations of this report.

## **8 Legal implications**

- 8.1 The draft Joint Safeguarding Children and Vulnerable Adults Policy at Appendix 1 is consistent with:

- Sections 10 and 11 of the Children Act 2004 (the council's duty to make arrangements to promote co-operation between the council and relevant partners, with a view to improving the well-being of children in the council's area; and the council's duty to make arrangements for ensuring that the council discharges its functions, having regard to the need to safeguard and promote the welfare of children).
- Section 6 of the Care Act 2014 (the council's duty to co-operate with each of its relevant partners in exercising its functions relating to adults with needs for care and support).
- Section 26 of the Counter-Terrorism and Security Act 2015 (the council's duty to have due regard to the need to prevent people from being drawn into terrorism)

*Lawyer consulted 22.08.18*

*Legal ref: 007629-LDC-OD*

## **9 Risk management implications**

- 9.1 Reviewing the Council's policies and performance on a regular basis provides an assurance that the Council is fulfilling its functions in a way that protects children and vulnerable adults and reduces the risk of harm. It also reduces the risk of reputational damage to the Council by minimising the risk of its own actions or inaction leading to serious harm caused to a child or vulnerable adult

## **10 Equality Analysis**

- 10.1 The policy is designed to protect children, young people and those adults most at risk of abuse or neglect. This includes anyone who is, or may be in need of community services due to age, illness or a mental or physical disability and may include, for example, people who are frail due to age, those who have specific disabilities and those at risk of exploitation. No negative impact on groups

protected under the Equality Act 2010 have been identified.

10.2 An Equality and Fairness Analysis has been carried out and is available from the report author.

## 11 **Appendices**

- Appendix 1 - Draft Joint Safeguarding Children and Vulnerable Adults Policy

## 12 **Background papers**

The background papers used in compiling this report were as follows:

- LDC Safeguarding Policy – November 2015 - [Safeguarding - Lewes and Eastbourne Councils](#)