



CAI.12 13/14

Challenge and Improve
Committee

30th July 2013

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Subject: Safeguarding

Report by:

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RECOMMENDATION(S):

- 1. Section 11 progress update is noted (July 2013 updates provided within attached document)**
- 2. Members note the revised guidance for vetting and barring (formerly CRB checks)**
- 3. A specific training event will be offered to members**
- 4. Member safeguarding champion(s) identified**
- 5. Member champion(s) to join officer safeguarding working group and assist with the review of the WLDC safeguarding policy**

IMPLICATIONS

Legal:

WLDC has a statutory responsibility to safeguard children, young people and vulnerable adults. Compliance with the Children Act (2004, Section 11(4)) is formally assessed on a three yearly basis by the LSCB. The last assessment was carried out in November 2011 and was passed.

The Implementation of the Disclosure and Barring Service (DBS) replaces previous CRB checks. The new legislation (Protection of Freedoms Act 2012) and DBS guidance will need to be adhered to when seeking DBS checks for WLDC employees.

Financial: None arising from this report

Staffing: Safeguarding responsibilities apply to all WLDC staff, members and contractors

Equality and Diversity including Human Rights:

Risk Assessment: None arising from this report

Climate Related Risks and Opportunities: None arising from this report

Title and Location of any Background Papers used in the preparation of this report:

- Section 11 moderated Strategic Assessment (WLDC)
- Disclosure and Barring Service (DBS) guidance
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/118974/leaflet-england-wales.pdf
- Working Together 2013
- <http://media.education.gov.uk/assets/files/pdf/w/working%20together.pdf>

Call in and Urgency:

Is the decision one which Rule 14.7 of the Scrutiny Procedure Rules applies?

Yes No

Key Decision:

Yes No

Introduction

Safeguarding is everyone’s responsibility. All West Lindsey District Council officers, members, volunteers and contractors have a responsibility to protect and promote the wellbeing of children, young people, families and vulnerable adults.

Members have requested a safeguarding update. This report provides a progress report on the Council’s 2011 safeguarding assessment. The report also provides an overview of the new Disclosure and Barring Service (DBS) which has recently replaced CRB checks.

Member involvement in safeguarding policy development and in the West Lindsey safeguarding working group is requested to enhance the work we do to raise awareness of safeguarding and to support our communities.

Child protection is an issue of national priority and high prominence amongst local public sector providers. Safeguarding and promoting the welfare of children is defined as:

- protecting children from maltreatment;
- preventing impairment of children's health or development;
- ensuring that children grow up in circumstances consistent with the provision of safe and effective care; and
- taking action to enable all children to have the best outcomes (HM Government, 2013)

Similarly, safeguarding vulnerable adults encompasses three key concepts - protection, justice and empowerment. Currently, we are not formally assessed in terms of adult safeguarding however officers recommend that we integrate adult safeguarding within our safeguarding policy, and actively promote and implement in our day to day work, initiatives and knowledge to enhance the wellbeing of our communities.

Working Together 2013 (HM Government)

The Government has updated its national practical guidance (Working Together, 2013) on working together to safeguard children.

Working Together (2013) outlines the legislative requirements and expectations on organisations to safeguard and promote the welfare of children. It also provides the statutory framework for how organisations and individuals should work together to safeguard and promote the welfare of children and young people.

This guidance will support on-going working practices, awareness raising, training and safeguarding policy development for West Lindsey District Council.

The working together document can be accessed online:

<http://media.education.gov.uk/assets/files/pdf/w/working%20together.pdf>

Section 11 Compliance (assessment carried out in 2011)

The current report includes a progress update on the recommendations of the council's safeguarding audit carried out in 2011 on behalf of the Lincolnshire Safeguarding Children's Board (LSCB). The assessment, carried out every three years is known as the 'Section 11' assessment. It assesses and ensures organisations compliance with section 11 (4) of the Children Act (2004) using a 'RAG' rating system. The assessment considers aspects such as safe recruitment and selection, day to day work practices, organisational awareness of safeguarding and relevant policies and procedures. The assessment comprises of a case file assessment (review of randomly selected officers recruitment files and their case files) and a strategic assessment.

The Section 11 audit has historically, been an arduous and time consuming task – it required the collation of hard copies of evidence across a number of sections (see attached strategic assessment) followed by a formal visit by a moderator. This process is due to change and it is envisaged that it will be an online tool which can be updated regularly to build up evidence over time. The Section 11 questions are also likely to change as there are a couple that are no longer relevant (for example, the assessment used to require our safeguarding policy to be endorsed by the local safeguarding board – this is no longer required).

The table below shows the moderated Section 11 scores for the previous assessment (mutually agreed with LSCB representative following a self-assessment)

Number of applicable questions	Number of applicable questions	Maximum Score achievable	Score achieved	Score as a % of maximum total achievable	Average score	Number of Essential fails
Strategic Assessment:	47	94	74	78.7%	1.5	0
Case File Assessment:	14	84	84	100%	2	0

The strategic assessment is attached to the current report. Updates to reflect the July 2013 position are included in the attached strategic assessment. There were areas of the strategic assessment that demonstrated opportunities for further development. These areas have formed the work programme of an officer safeguarding working group.

Safeguarding Working Group

An officer safeguarding working group has been established and is looking at the recommendations of the Section 11 assessment, as well as raising awareness across the organisation and implementing any new guidance. The group is represented by officers from across a number of service areas.

On-going awareness raising of Safeguarding across the organisation is important. Currently, the safeguarding working group is developing a Minerva page focussed on Safeguarding. This will be launched later this year for officers and members. The officer group has also identified the need for the same information to be made available for our staff that are not office based.

West Lindsey District Council is required to have an effective safeguarding policy in place. The current policy is due to be reviewed, developed and enhanced to incorporate the wider issues and interdependencies around safeguarding for children, young people, families and vulnerable adults. These include; domestic abuse and the impacts of welfare reform.

The officer group would benefit from member representation to champion safeguarding and further embed understanding of safeguarding and promoting the wellbeing of our communities.

Safeguarding Roles and Responsibilities

The Council's safeguarding policy sets out key officer responsibilities. There is a need to update the policy to reflect amendments to officer roles and responsibilities –

Jo Riddell (Head of Service, Communities and Localism) will replace Rachel North as overall safeguarding lead.
Emma Waters (Domestic Abuse Coordinator) will become a front line safeguarding officer.

Disclosure and Barring Service

In 2012, the Government made changes to criminal records checks and barring arrangements. The Disclosure and Barring Service (DBS) helps employers make safer recruitment decisions and prevent unsuitable people from working with vulnerable groups, including children. The work of the Criminal Records Bureau (CRB) and Independent Safeguarding Authority (ISA) has been merged into a single Public Body, known as the Disclosure and Barring Service (DBS). DBS is an executive non-departmental public body of the Home Office.

The DBS is responsible for:

- processing requests for criminal records checks
- deciding whether it is appropriate for a person to be placed on or removed from a barred list
- placing or removing people from the DBS children's barred list and adults' barred list for England, Wales and Northern Ireland

The DBS search police records and, in relevant cases, barred list information, and then issue a DBS certificate to the applicant and employer to help them make an informed recruitment decision

Barred persons are not permitted to engage in what is regarded as 'regulated activity'. There is a revised definition of regulated activity. In summary this comprises of:

- (i) Unsupervised activities: teach, train, instruct, care for or supervise children, or provide advice/ guidance on well-being, or drive a vehicle only for children;
- (ii) Work for a limited range of establishments ('specified places'), with opportunity for contact: e.g. schools, children's homes, childcare premises. Not work by supervised volunteers;
Work under (i) or (ii) is regulated activity only if done regularly: "regularly" is defined in detail on the following pages under items (a) to (f).
HM Government is publishing statutory guidance on supervision of activity that would be regulated activity if unsupervised.
- (iii) Relevant personal care, e.g. washing or dressing; or health care by or supervised by a professional;
- (iv) Registered child-minding; and foster-carers

In line with the Protection of Freedoms Act (2012) the Government has scaled back CRB (DBS) checks. Only roles which fall under the above criteria will be subject to DBS checks in the future.

The Council's People and Organisational Development team will lead on a review of all officer roles to determine which posts will require DBS checks in the future in line with the revised criteria.

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