



COTSWOLD  
DISTRICT COUNCIL

# Safeguarding Children, Young People & Vulnerable Adults Policy



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## 1. Introduction

Cotswold District Council aims to work in a way that safeguards children, young people and vulnerable adults from harm and supports their development as members of the local community.

Under Section 11 of the Children Act 2004, the Council has a duty to ensure that in discharging their functions, they have regard to the need to safeguard and promote the welfare of children and young people under the age of 18.

Safeguarding and promoting the welfare of children and young people is defined as:

- Protecting Children and Young People from maltreatment
- Preventing impairment of children/young people's health and development
- Ensuring that children/young people are growing up in circumstances consistent with the provision of safe effective care; and
- Undertaking that role so as to enable those children/young people to have optimum life chances and enter adulthood successfully.

Under the Care Act 2014, the Council has a duty to safeguard and promote the welfare of vulnerable adults. A vulnerable adult is defined as someone who:

- has needs for care and support (whether or not the local authority is meeting any of those needs) **and**;
- is experiencing, or at risk of, abuse or neglect; **and**
- as a result of those care and support needs is unable to protect themselves from either the risk of, or the experience of abuse or neglect.

The Council also has a duty to ensure that other organisations and contractors commissioned to provide services on its behalf have regard to the need to safeguard and promote the welfare of children, young people and vulnerable adults.

The Council will ensure that:

- All Council employees, contracted organisations and volunteers involved in working with children, young people and vulnerable adults implement good working practices to ensure a safe and healthy environment;
- All Council employees, contracted organisations and volunteers are aware of safeguarding issues both in the context of organised activities and within the home and community;
- Standard procedures are in place to protect the child, young person or vulnerable adult first and foremost when suspected abuse or actual abuse is reported and that all Council employees, contracted organisations and volunteers providing services for children, young people and vulnerable adults understand these procedures; and
- When abuse is reported it is recognised that the child, young person or vulnerable adult is potentially at risk and their safety is paramount.

The Council recognises that in providing services there is a need to provide and maintain a high degree of physical and emotional wellbeing for children, young people and vulnerable adults.

The following will be implemented through council employees, contracted organisations and volunteers:

- Staff, contracted organisations and volunteers will be made aware of and required to observe the Safeguarding Children, Young People and Vulnerable Adults Policy and Procedures;
- Staff, contracted organisations and volunteers will be made aware of how to report concerns about children, young people and vulnerable adults;
- Sound recruitment and selection procedures will be operated for Council employees and voluntary staff to ensure their suitability for working with children, young people and vulnerable adults;
- Appropriate training will be available to employees and volunteers who work with children, young people and vulnerable adults;
- Best practice in ensuring the safety of children, young people and vulnerable adults will be observed; and
- Where appropriate, effective safeguarding standards will be required by suppliers of services to ensure the protection of children, young people and vulnerable adults and basic safeguarding contract clauses will be in use.

## **2. Duties and responsibilities of specific officers**

In order to carry out its safeguarding duty, the Council requires staff and councillors to be aware of how they can contribute to this aim whilst undertaking activities for and on behalf of the Council.

The Council has a Lead Safeguarding Officer (LSO) who has responsibility for:

- Ensuring that the District Council operates effective procedures for dealing with allegations in accordance with guidance from the Gloucestershire Safeguarding Children Board<sup>1</sup>, Gloucestershire Safeguarding Adults Board<sup>2</sup> and in cooperation with the Gloucestershire Multi-Agency Safeguarding Hub (MASH);<sup>3</sup>
- Resolving inter-agency issues and liaising with the relevant Safeguarding Board(s);
- Co-ordination and dissemination of information related to safeguarding across the authority and assisting to ensure that the Head of Paid Service, Directors, Leader of the Council, relevant Executive Board members and other councillors are kept well informed;
- Co-ordinating information searches across the relevant Council services and liaising with the Safeguarding Teams in relation to Investigations and Serious Case Reviews;
- Checking that effective policies and procedures are in place in relation to key areas of the council's services.

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<sup>1</sup> The Gloucestershire Safeguarding Children Board (OSCB) is the key statutory mechanism for agreeing how all relevant organisations in Oxfordshire will cooperate to safeguard and promote the welfare of children and young people in the county and for ensuring the effectiveness of their arrangements for safeguarding.

<sup>2</sup> The Gloucestershire Safeguarding Adults Board (OSAB) is the key statutory mechanism for agreeing how all relevant organisations in Oxfordshire will cooperate to safeguard and promote the welfare of vulnerable in the county and for ensuring the effectiveness of their arrangements for safeguarding

<sup>3</sup> The multi-agency safeguarding hub seeks to enable the sharing of information so that risks to children can be identified at an early stage.

- Supporting the development and annual review of the Safeguarding Children, Young People and Vulnerable Adults Policy and Procedures and overseeing implementation of any actions required to ensure that the policy and procedures satisfy good practice requirements; and
- Identifying and promoting training programmes.

The Head of Human Resources is responsible for ensuring that recruitment procedures for posts with direct access to children, young people or vulnerable adults are in place and compliant with the Disclosure and Barring legislation through the Disclosure and Barring Service ('DBS'). The Head of Human Resources is also responsible for ensuring that the appraisal process reflects the needs of this Policy.

All Heads of Service must ensure that relevant staff are subject to appropriate Disclosure and Barring Service (DBS) checks and that staff within their Service comply with the Safeguarding Children, Young People and Vulnerable Adults Policy and Procedures.

All Line managers are responsible for ensuring that their staff and volunteers have appropriate training with regard to safeguarding based on how frequently the individual member of staff has contact with children, young people and vulnerable adults in the course of their work. Line managers are also responsible for adhering to the appraisal process and for following appropriate recruitment procedures.

Heads of Service and Line managers should have sufficient knowledge to be able to effectively listen to any concerns about possible abuse raised by members of their team and to provide them with reassurance and advice. They will advise on the appropriate policies and procedures to make safeguarding referrals and inform the Lead Safeguarding Officer(s) of any issues or concerns that may arise in relation to safeguarding children, young people or vulnerable adults.

All members of staff and volunteers acting on behalf of the Council are responsible for carrying out their duties in a way that safeguards and promotes the welfare of children, young people and vulnerable adults. They must also act in a way that protects them from wrongful allegations of abuse as far as possible and in line with this Policy. They must bring matters of concern about safety and welfare of children, young people and vulnerable adults to the attention of their Line manager and/or the Lead Safeguarding Officer(s).

All staff should be familiar with this Policy and associated Procedure and Guidance and should undertake appropriate safeguarding training for children, young people and vulnerable adults where this is relevant to their role.

All agencies that provide the Council with contracted staff must have procedures in place to safeguard children, young people and vulnerable adults that are equivalent to those described in this policy.

### **3. Recruitment and Selection of Employees and Volunteers**

The Council has a duty of care to protect children, young people and vulnerable adults from harm and is legally obliged to assess the suitability of individuals to positions of trust as set out in section 11 of the Children's Act 2004 and the Care Act 2014 in respect of vulnerable adults.

The Council has a Disclosure and Barring Service Policy available from Human Resources and on the District Council intranet). Heads of Service and line managers are

responsible for ensuring that members of staff and volunteers in relevant posts will be subject to the appropriate level of criminal record checks.

The Disclosure and Barring Service (DBS)<sup>4</sup> is used to check the criminal record of applicants for posts where there is frequent and/or intensive contact with children under the age of 18 and/or vulnerable adults as part of normal and routine duties. 'Frequent' means once a week or more and 'intensive' means four days a month or more or overnight. When it is uncertain whether a member of staff or volunteer fits into one of these categories, the Head of Human Resources and Head of Service must discuss the issue to agree a joint decision. Where agreement cannot be reached the Head of Human Resources will make the final decision.

It will be made clear to applicants for posts of this nature that the position is exempt from the provisions of the Rehabilitation of Offenders Act 1974 and they will need to obtain a satisfactory DBS certificate at the appropriate level prior to commencing employment.

Post holders requiring clearance will not be confirmed in their posts until disclosure information has been received and evaluated. All relevant posts are subject to a satisfactory disclosure being received. This will be detailed in an employee's written statement of terms and conditions of employment.

The Council's recruitment and selection procedure also ensures that staff or volunteers who will be working with children and/or vulnerable adults meet appropriate standards around experience and qualifications and that evidence is secured of these as part of the recruitment process.

Councillors who, in the course of their duties, are working directly with children and/or vulnerable adults on a frequent or intensive basis will be required to have an appropriate criminal record check.

Employees working in activities that require DBS checks will be required to renew their certificate on a regular basis (currently every three years). If a criminal record is disclosed the individual's employment situation will be reviewed and this may result in the termination of their employment.

The Council has a duty to refer an individual to the DBS where they consider that a person has caused or may pose a risk of harm to children or vulnerable adults. Line managers will be made aware of the procedures to follow in such circumstances and that failure to follow them will result in a disciplinary offence.

#### **4. Training**

Line managers are responsible for identifying that members of staff in relevant posts have the appropriate level of training for their role.

There are different levels of training available to members of staff and volunteers through the Gloucestershire Safeguarding Children Board (GSCB) and Gloucestershire Safeguarding Adults Board (GSAB).

All new members of staff, paid or voluntary, will be briefed on their responsibilities towards children, young people and vulnerable adults during their induction and

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<sup>4</sup> The DBS operates the vetting and barring scheme which aims to prevent unsuitable people from working with children, young people or vulnerable adults and conducts criminal record checks to enable an assessment to be made on the suitability of a person to care or work with children, young people or vulnerable adults.

encouraged to undertake the GSCB on-line 'Introduction to Safeguarding' training module or any equivalent module on the Learning Gateway.

All members of staff and volunteers who are:

- In contact with children, young people or vulnerable adults during the normal course of their role; or who are
- Responsible for a child, young person or vulnerable adult for any period during work experience at Cotswold District Council will be required to do the OSCB on-line 'Introduction to Safeguarding' module.

People working directly with children, young people and vulnerable adults on a regular basis will be required to do Generalist or Specialist Training standard course or the equivalent module appropriate to their role.

The Lead Safeguarding Officer will be required to attend Specialist Safeguarding Children/ Refresher Specialist course no less than once in a two year period.

Details of the GSCB training courses are available on the GSCB web site:

[Gloucestershire Safeguarding Children Board](#)

Details of GSAB training courses are available on the GSAB web site:

[Gloucestershire Safeguarding Adults Board](#)

## 5. Tackling Abuse<sup>5</sup>

### Children and Young People

There are different types of abuse as defined in 'See What to do if you're worried a child is being abused', DCLG March 2015

**Physical Abuse** is causing physical harm to a child and may involve hitting, shaking, throwing, poisoning, burning or scalding, drowning or suffocating. It may also be caused when a parent or carer feigns the symptoms of, or deliberately causes ill health to a child for whom they are caring.

**Emotional Abuse** is the persistent emotional maltreatment of a child. It is also sometimes called psychological abuse and it can have severe and persistent adverse effects on a child's emotional development.

**Sexual Abuse** is any sexual activity with a child. It 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.

**Child Sexual Exploitation** is a form of sexual abuse where children under 18 are sexually exploited for money, power or status

**Neglect** is the persistent failure to meet a child's basic physical and/or psychological needs, likely to result in serious impairment of the child's health and development.

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<sup>5</sup> See What to do if you're worried a child is being abused, DCLG March 2015 for further information

## **Vulnerable Adults**

Defining abuse or neglect is complex and rests on many factors. The term "abuse" can be subject to wide interpretation. It may be physical, verbal or psychological, it may occur where a person is persuaded to enter into a financial or sexual transaction to which they have not consented, or cannot consent.

Abuse or neglect may be the result of deliberate intent, negligence or ignorance. Exploitation can be a common theme in the experience of abuse or neglect. Whilst it is acknowledged that abuse or neglect can take different forms, the Care Act guidance identifies the following types of abuse or neglect:

- Physical abuse;
- Domestic violence;
- Sexual abuse;
- Psychological abuse;
- Financial or material abuse;
- Modern slavery;
- Discriminatory abuse;
- Organisational abuse;
- Neglect and acts of omission;
- Self-neglect

### **6. Responding to Disclosure, Suspicions and Allegations of Abuse**

It is not the responsibility of those working for the Council to decide if abuse is occurring but it is their responsibility to act on concerns and notify the appropriate person or organisation.

The Council has devised Safeguarding Procedure and Guidance documents which advise staff and Councillors on the signs of abuse and sets out the procedure for taking action if abuse is suspected. It also promotes good practice in working with children young people and vulnerable adults. These are published on the District Council's intranet.

### **7. Suspected Abuse or Bullying by Council Employees or Volunteers**

Should an allegation of child abuse be made against a Council employee, the Council's Complaints and/or Disciplinary Procedures will be followed and appropriate action taken. Allegations against volunteers will be investigated in a similar way but the Council's Disciplinary Procedure will not apply.

All allegations of abuse against an employee or volunteer will be reported to the relevant Gloucestershire County Council Social Care team by the Head of Human Resources or the Lead Safeguarding Officer.

In cases involving employees or volunteers in an allegation of sexual abuse, including the observing, handling or distributing of materials in any media that involves the sexual abuse of children, the matter will be immediately referred to the police by the Head of Human Resources or the Lead Safeguarding Officer.



Where there are concerns about a member of staff's behaviour outside the workplace towards a child, young person or vulnerable adult, this should be reported to the Head of Human Resources at the earliest opportunity.

The Council assures all staff and volunteers that it will fully support and protect anyone who in good faith (without malicious intent) report his or her concerns about a colleague's practice or the possibility that a child may be being abused or bullied.

The Council also recognises that it has a duty to staff against whom allegations have been made.

The person who receives information concerning a suspected case of abuse by another member of staff or volunteer should make a full record of what has been said as soon as possible and pass the information onto their Line Manager, Head of Service or to the Head of Human Resources.

## **8. Confidentiality, Data Protection and Sharing of Information**

All members of staff, Councillors and volunteers must comply with legislative requirements and Council guidelines with regard to Confidentiality, Data Protection and Information Sharing.

The Council recognises that all information regarding the safeguarding of children and young people should be kept confidential. However, in order that children, young people and vulnerable adults are protected from harm, in some circumstances, usual considerations of confidentiality that might apply to other situations within the Council may be overridden.

The Council understands the importance of ensuring that personal data is always treated fairly, lawfully and appropriately and that the rights of individuals are upheld. The Council is fully committed to compliance with the requirements of the Data Protection Act 1998.

The Council is required to share information for a number of reasons, including when information is requested in connection with an assessment of a child's needs under section 17 of the Children Act 1989 or an enquiry under section 47 of that Act or in connection with court proceedings.

Cotswold District Council may need to share information about a child or young adult with Gloucestershire County Council, the Gloucestershire Safeguarding Children Board, Gloucestershire Constabulary, Gloucestershire NHS and /or other agencies. This information sharing is co-ordinated by the Gloucestershire Multi-Agency Safeguarding Hub.

The type of information that may be shared includes names, contact details, information about a person's physical or mental health or relations with others. The sharing of this information will be restricted to those who have a demonstrable need to know and robust protections, such as encryption, will be used to share this information.

All staff, Councillors and volunteers must comply with the Council's internet and e-mail policy and IT Security Policy.

The Lead Safeguarding Officer will act as a first point of contact for notification of any deaths of children /young people on council premises.

## 9. Promoting Good Practice

It is possible to reduce situations in which abuse can occur and help protect employees and volunteers by promoting good practice. The Council has published guidelines for staff to ensure that this can be achieved. These are set out in the Safeguarding Procedure and Guidance document available on the Intranet.

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