
FULL COUNCIL REPORT

Date Written	17 th September 2015
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Service Area	Social Services
Exempt/Non Exempt	Non Exempt
Committee Date	7 th October 2015

To: Mayor, Ladies and Gentlemen

Corporate Safeguarding Policy

1.0 SUMMARY OF THE REPORT

- 1.1 Earlier this year Cabinet received a report from the Welsh Audit Office, which made clear recommendations about the area of safeguarding. In response to this a Corporate Safeguarding Policy has been developed. This report requests that Council approve this policy.
- 1.2 Within this report it highlights that the Corporate Safeguarding Policy proposes the establishment of a Safeguarding Reference Group. The purpose of this being to raise awareness of safeguarding corporately and ensuring that safeguarding is everyone's responsibility.

2.0 RECOMMENDATIONS that

- 2.1 The Corporate Safeguarding Policy be implemented with immediate effect.
- 2.2 The work of the proposed MTCBC Safeguarding Reference Group be supported.

3.0 INTRODUCTION AND BACKGROUND

- 3.1 In January 2015 Cabinet received a report setting out the Welsh Audit Office (WAO) recommendations following their work in Merthyr Tydfil in relation to safeguarding.
- 3.2 Recommendations from their report included the 'development of a Corporate Safeguarding Policy that clearly specifies roles, responsibilities and procedures for safeguarding and ensure this policy is integrated with the work of the Cwm Taf

Safeguarding Children Board.’ Also to ‘ensure that there is a corporate-wide policy on safeguarding covering all council services to provide a clear strategic direction and clear lines of accountability across the council’.

- 3.3 The new policy has been developed and will meet the requirements of these recommendations.
- 3.4 The new policy (attached at Appendix 1) has been developed in conjunction with colleagues on the Cwm Taf Safeguarding Boards to ensure that it is fully compliant with legislative requirements and local authority procedures.

4.0 CONTENT OF THE CORPORATE SAFEGUARDING POLICY

- 4.1 The proposed Corporate Safeguarding Policy clearly specifies roles and responsibilities under the following headings:
- a. Why does Merthyr Tydfil County Borough Council have a Corporate Safeguarding Policy?
 - b. Objectives
 - c. Principles
 - d. Related Legislation, policy and guidance
 - e. Strategy Context
 - f. Roles and Responsibilities
 - g. Governance and Reporting – the MTCBC Safeguarding Reference Group.
- 4.2 The Corporate Safeguarding Policy proposes the establishment of a Safeguarding Reference Group with terms of reference outlining its role and objective of enhancing corporate awareness of council’s safeguarding duties and establishing reporting that will evidence continuous improvement.
- 4.3 The group will be made up of a manager representative from each service area that will be a point of contact for information and challenge within their service area in relation to safeguarding. The Principal Manager for Safeguarding will provide leadership and support to each representative.
- 4.4 The proposed reference group will meet at least twice each year and will:
- Develop and review its terms of reference for sign off by senior leadership group (SLG);
 - Identify the Council’s services and contracted providers that should have adult and child protection procedures, ensuring that those procedures exist and are fit for purpose. All procedures should afford due reference to safe recruitment, training, reporting concerns including concerns of professional abuse, and whistle blowing;
 - Identify and progress solutions for any exceptions identified;
 - Review relevant safeguarding performance information to ensure strong collaboration across the Council;
 - Support the Council in achieving the outcomes within the Safeguarding Board’s business plans;

- Provide an annual report that will be received by SLG, relevant Scrutiny Committees, and the Cwm Taf Safeguarding Boards.

5.0 FINANCIAL IMPLICATIONS

5.1 If approved, the work under the Corporate Safeguarding Policy will be met within existing resources.

6.0 SINGLE INTEGRATED PLAN AND SUSTAINABILITY IMPACT SUMMARY

6.1 A Single Integrated Plan and Sustainability Impact Assessment has been completed. This identifies positive impacts and no negative impacts.

7.0 EQUALITY IMPACT ASSESSMENT

7.1 An Equality Impact Assessment (EqIA) form has been prepared for the purpose of this report. It has been found that a full assessment is not required at this time. The form can be accessed on the Council's website/intranet via the 'Equality Impact Assessment' link.

Lisa Curtis-Jones
Chief Officer (Social Services)

Councillor Linda Matthews
Cabinet Member for Social Services

BACKGROUND PAPERS		
Title of Document(s)	Document(s) Date	Document Location
Corporate Safeguarding Policy	September 2015	Appendix 1
Does the report contain any issue that may impact the Council's Constitution?		No

Consultation has been undertaken with the Corporate Management Team in respect of each proposal(s) and recommendation(s) set out in this report.



**Merthyr Tydfil County Borough Council
People and Performance Directorate**

**CORPORATE SAFEGUARDING
POLICY**

This Policy has been developed within the context of Equality and Human Rights statutory obligations and requirements

Document Location	MTCBC Intranet
Document Author(s)	Annabel Lloyd
Lead Officer	Lisa Curtis-Jones
Document Owner	MTCBC – People and Performance Directorate
Accessibility	This document can be made available in electronic and hard copy formats
Approved by	
Date approved	
Replaces document name	
Review date	This document will be reviewed a minimum of every three years after its approval date, the next review to occur no later than September 2017. Interim reviews may take place as required.
External Circulation Restrictions	
Staff to whom distributed and date	

Updates, Revisions and Amendments

Version	Details of Change	Date
1	New Policy to be agreed by Cabinet	September 2015

Contents:

1. Why does Merthyr Tydfil County Borough Council have a Corporate Safeguarding Policy?
2. Objectives
3. Principles
4. Related Legislation, policy and guidance
5. Strategy Context
6. Roles and Responsibilities
7. Governance and Reporting – the MTCBC Safeguarding Reference Group
8. Review of this Policy

1. **Why does Merthyr Tydfil County Borough Council have a Corporate Safeguarding Policy?**

- 1.1 The protection and safeguarding of children and adults at risk is of the utmost priority to the Council.
- 1.2 This corporate safeguarding policy will operate as a framework for every service area within the Council setting out responsibilities in relation to safeguarding children and adults at risk.
- 1.3 The policy sets out the method by which the Council will be assured that it is meeting its safeguarding duties.
- 1.4 This policy relates to all councillors, staff, volunteers and providers who carry out work on behalf of the Council.

2. **Objectives**

- 2.1 To set out how the Council will meet its obligations towards the safeguarding of children and adults at risk
- 2.2 To give assurances to the public, councillors, staff, volunteers and people carrying out work on behalf of the Council that there sound arrangements in place to safeguarding children and adults at risk

3. **Principles**

- 3.1 Definitions of 'at risk' as defined by the Social Services & Wellbeing Act 2014:

A "child at risk" (Section 130(4)) is a child who:

(a) is experiencing or is at risk of abuse, neglect or other kinds of harm, and

(b) has needs for care and support (whether or not the authority is meeting any of those needs).

An "adult at risk"(Section 126) for the purposes of this Part, is an adult who:

(a) is experiencing or is at risk of abuse or neglect,

(b) has needs for care and support (whether or not the authority is meeting any of those needs), and

(c) as a result of those needs is unable to protect himself or herself against the abuse or neglect or the risk of it

- 3.2 Every child and adult at risk (whatever their background, culture, age, disability, gender, ethnicity, religious belief) has a right to participate in a safe society without any violence, fear, abuse, bullying and discrimination

- 3.3 Every child and adult at risk has the right to be protected from harm, exploitation and abuse
- 3.4 All councillors, employees and volunteers who work for or with the Council has responsibility for protecting children and adults at risk from abuse and neglect and working in a way that promotes and supports their best interests
- 3.5 The Council will invest in preventative and early intervention services and endeavour to avoid situations where abuse or allegations of abuse or harm may occur

4. Related Legislation, policy and guidance

4.1 Our legislation in various acts that are identified below enshrines the right to protection from abuse. The legal starting point in achieving this objective is professionals' duty to report allegations of abuse and neglect. The law also identifies the Local Authority as the lead organisation in making enquiries to identify whether an individual is at risk and in coordinating the response to protect. In practice we know that this work never happens in isolation or without clear leadership and accountability for this work which is equally set out in law, along with the duty to cooperate and collaborate with others is equally clearly set out within the law.

4.2 The Council knows and recognises that good practice in safeguarding brings together all activity aimed at promoting safe practice with vulnerable groups and preventing abuse and neglect. For this reason, and because the law, policy, guidance and regulations change from time to time, it is impossible to provide an exhaustive list of relevant documents but we have include the most significant items here;

- Violence Against Women, Domestic Abuse and Sexual Violence (Wales) Act 2015
- Social Services and Well- Being Act 2014
- Children Act 1989 and 2004
- Housing Act 2004
- Licensing Act 2003
- Education Act 2002
- Human Rights Act 1998
- Working Together Under The Children Act 2004
- Keeping Learners Safe- The role of local authorities, governing bodies and proprietors of independent schools under the Education Act 2002

4.3 The Council will ensure that our practice is compliant with the following procedures:

- All Wales Child Protection Procedures
- Wales Interim Procedures for the Protection of Vulnerable Adults
- MTCBC Whistle-Blowing policy and related practice guidance
- MTCBC Safe Recruitment Policies

5. Strategic Context

- 5.1 The vision for Merthyr Tydfil's Single Integrated Plan which is monitored and challenged by the Local Service Board is:

To strengthen Merthyr Tydfil's position as the regional centre for the Heads of the Valleys, and be a place to be proud of where:

- ***People learn and develop skills to fulfil their ambitions***
- ***People live, work, have a safe, healthy and fulfilled life***
- ***People visit, enjoy and return***

- 5.2 The Council also maintains its membership upon and leadership of the Cwm Taf Safeguarding Children Board and Cwm Taf Safeguarding Adult Boards which has the statutory duty to develop regional plans in relation to safeguarding, and the duty to hold partner agencies to account in relation to safeguarding.

- 5.3 The Council's Democratic process for challenge is its Scrutiny Committees.

- 5.4 The Council will ensure that the Local Service Board and the Safeguarding Boards and relevant Scrutiny Committees have oversight of the Council's Annual Safeguarding Report which is described below.

6. Roles and Responsibilities

- 6.1 Every individual has the duty to report concerns of abuse and neglect.

- 6.2 Children's Services have the responsibility for receiving and responding to new concerns about children in compliance with the arrangements at the Cwm Taf Multi-Agency Safeguarding Hub (MASH).

- 6.3 The Council's Designated Lead Managers have the responsibility for receiving and responding to new concerns about adults at risk in compliance with the arrangements at the Cwm Taf Multi-Agency Safeguarding Hub (MASH).

- 6.4 The Statutory Director of Social Services duties are established in Welsh Government Guidance (2009) as including:

- overseeing and reporting to Councillors on the operation, monitoring and Improvement in adult, child protection and safeguarding systems;
- ensuring the effective operation of the Local Safeguarding Children and Adult Boards, especially that lessons are learned from child and adult practice reviews and applied as necessary;
- raising the profile, supporting the policy and ensuring adherence in practice to the extant guidance on adult protection;
- ensuring all staff in children's and adults' Social Services, and in other agencies, understand and operate high standards of risk recognition and safeguarding practice;
- raising standards in social work practice so that staff involved in safeguarding work are properly supported; and;

- promoting greater public awareness of child and adult protection matters and adapt social work practice in light of relevant research.

6.5 The Chief Executive has the over-arching responsibility for all of the Council's work.

6.6 The Lead Member for Social Services is politically accountable for ensuring that the Local Authority fulfils its legal responsibilities for safeguarding and promoting the welfare of Children, Young People and Adults.

7. Governance and Reporting MTCBC Safeguarding Reference Group

7.1 This Policy establishes the Council's Safeguarding Reference Group.

7.2 The group will be made up of a Manager Representative from each service area that will be a point of contact for information / support and challenge within their service area in relation to Safeguarding. The Principal Manager for Safeguarding will provide to each representative.

7.3 The Reference Group will meet at least twice each year and will:

- Develop and review its Terms of reference for sign off by Senior Leadership Group (SLG);
- Identify the Council's Services and Contracted Providers that should have adult and child protection procedures, ensuring that those procedures exist and are fit for purpose. all procedures should afford due reference to safe recruitment, training, reporting concerns including concerns of professional abuse, and whistle blowing
- Identify and progress solutions for any exceptions identified;
- Review relevant performance information to ensure strong collaboration across the Council;
- Support the Council in achieving the outcomes within the Safeguarding Boards Business Plans;
- Provide an annual report that will be received by SLG, relevant Scrutiny Committees, and the Cwm Taf Safeguarding Boards.

8. Review of this Policy

8.1 This Policy will be reviewed two years following final approval.