



SCRUTINY COMMITTEE REPORT

Date Written	8 th November 2020
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Exempt/Non Exempt	Non Exempt
Committee Date	2 nd February 2021

To: Chair, Ladies and Gentlemen

Wales Audit Office: Review of Whistleblowing and Corporate Safeguarding

1.0 SUMMARY OF THE REPORT

1.1 To update Audit committee on the progress made in implementing the recommendations of the Wales Audit Office report in respect of Whistleblowing and Safeguarding in Merthyr Tydfil County Borough Council.

2.0 RECOMMENDATION that

2.1 The progress made against the Corporate Safeguarding Action Plan be debated and noted.

3.0 INTRODUCTION AND BACKGROUND

3.1 In 2015, the Wales Audit Office published its Review of Corporate Safeguarding Arrangements in Welsh Councils. In January 2015 and September 2015, Cabinet received reports detailing the recommendations of this review and the plans for addressing these recommendations within Merthyr Tydfil. The Local Authority needed to develop its Corporate Safeguarding Arrangements.

3.2 The Safeguarding arrangements in Merthyr Tydfil had been reviewed as a result of the findings from the Rotherham Enquiry in 2014, which was timely and we were able to give feedback to the Audit office during the Audit in 2015.

- 3.3 The Corporate Safeguarding Reference group was recommended in the Corporate Safeguarding Policy which was implemented and ratified in September 2015.
- 3.4 This group has met quarterly since that time and has been well attended by all sections of the Council.
- 3.5 Audit committee developed an action plan as a response to the Welsh Audit Office Corporate Safeguarding arrangements report and all actions were completed.
- 3.6 In August 2019, a further Audit was completed of Whistleblowing and Safeguarding Arrangements.

4.0 CORPORATE SAFEGUARDING ARRANGEMENTS

- 4.1 As a result of the above the Corporate Safeguarding Policy has been fully implemented and the Corporate Safeguarding arrangements are monitored by the reference group which has been implemented as a result of the above.
- 4.2 A range of work has been completed as follows:
- Support provided to VAMT to develop and support their safeguarding information for clubs, groups, and volunteers regarding safeguarding policies and responsibilities.
 - Information session provided to “Community Chest” to ensure that those groups that they fund who provide services to children or adults have appropriate safeguarding policies and procedures.
 - Providing advice and assistance for those services that are funded through local authority grants such as the “Biffa Fund” in the development of their safeguarding policies and procedures.
 - Development of “Top Tips” guidance for bus drivers and escorts on commissioned transport.
 - Training sessions delivered to bus drivers and escorts jointly with the Police.
 - Development of an agreement between all local authorities regarding placements in temporary accommodation within the Merthyr Tydfil area and appropriate risk management.
- 4.3 The action plan by audit has been reviewed and all actions have been completed (see 5.0 below). The Corporate Safeguarding Reference group has and will continue to monitor the Council’s responsibilities and report on progress and will continue to provide annual reports to Scrutiny and Council on its safeguarding responsibilities.
- 4.4 Audit committee will be aware that the Corporate Safeguarding work represents one element of a range of activities aimed at safeguarding children and adults at risk.

5.0 SUMMARY OF THE ACTION THAT TOOK PLACE

Topic	Action that took place
The Corporate Safeguarding Reference group	This was recommended in the Corporate Safeguarding Policy which was implemented and ratified in September 2015. This group has met quarterly and has been attended by all sections of the Council.
Audit committee action plan	This is in response to the Welsh Audit Office Corporate Safeguarding arrangements report and all actions are complete. Corporate Safeguarding Policy has been fully implemented and the Corporate Safeguarding arrangements are monitored by the reference group which has been implemented as a result of the above. <i>See details of the action plan below.</i>
Voluntary Organisations	Support provided to Voluntary Action Merthyr Tydfil to develop and support their safeguarding information for clubs, groups, and volunteers regarding safeguarding policies and responsibilities.
Wider groups	Information session provided to "Community Chest" to ensure that those groups that they fund who provide services to children or adults have appropriate safeguarding policies and procedures.
Grant funded services	Providing advice and assistance for those services that are funded through local authority grants such as the "Biffa Fund" in the development of their safeguarding policies and procedures.
Transport	Development of "Top Tips" guidance for bus drivers and escorts on commissioned transport and training sessions delivered to bus drivers and escorts jointly with the Police. Also working closely with licencing looking at training of taxi drivers and taxi escorts as a result of previous safeguarding concerns raised within the Rotherham enquiry.
Temporary Placements	Development of an agreement between all local authorities regarding placements in temporary accommodation within the Merthyr Tydfil area and appropriate risk management.
Whistleblowing arrangements	A letter sent to all staff reminding them of their responsibility towards the Merthyr whistleblowing processes.

Wales Audit Office: Review of Corporate Safeguarding Arrangements in Welsh Councils 2015

Number	Recommendation	Start	End	Completed
1	<p>Improve corporate leadership and comply with Welsh Government policy on safeguarding through:</p> <ul style="list-style-type: none"> the appointment of a senior lead officer who is accountable for safeguarding and protecting children and young people with corporate responsibilities for planning improvements; the appointment of a lead member for safeguarding; and 	July 2015	Dec 2015	Yes

	<ul style="list-style-type: none"> regularly disseminating and updating information on these appointments to all staff and stakeholders. 			
2	Ensure 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.	July 2015	Dec 2015	Yes
3	<p>Strengthen safe recruitment of staff and volunteers by:</p> <ul style="list-style-type: none"> ensuring that Disclosure and Barring Service (DBS) checks and compliance with safe recruitment policies cover all services that come into contact with children; creating an integrated corporate compliance system to record and monitor compliance levels on DBS checks; and requiring safe recruitment practices amongst partners in the third sector and for volunteers who provide services commissioned and/or used by the Council which are underpinned by a contract or service level agreement. 	July 2015	Dec 2015	Yes
4	<p>Ensure all relevant staff, members and partners understand their safeguarding responsibilities by:</p> <ul style="list-style-type: none"> ensuring safeguarding training is mandated and coverage extended to all relevant Council service areas, and is included as standard on induction programmes creating a corporate-wide system to identify, track and monitor compliance on attending safeguarding training in all Council departments, elected members, schools, governors and volunteers; and requiring relevant staff in partner organisations who are commissioned to work for the Council in delivering services to children and young people to undertake safeguarding training. 	July 2015	Dec 2015	Yes
5	<p>Improve accountability for corporate safeguarding by regularly reporting safeguarding issues and assurances to Scrutiny Committee(s) against a balanced and Council-wide set of performance information covering:</p> <ul style="list-style-type: none"> benchmarking and comparisons with others; 	July 2015	Dec 2015	Yes

	<ul style="list-style-type: none"> • conclusions of internal and external; audit/inspection reviews; • service-based performance data; • key personnel data such as safeguarding training and DBS recruitment checks; and • the performance of contractors and commissioned services on compliance with council safeguarding responsibilities 			
6	Establish a rolling programme of internal audit reviews to undertake systems testing and compliance reviews on the Council's safeguarding practices.	July 2015	July 2015	Yes
7	Ensure the risks associated with safeguarding are considered at both a corporate and service level in developing and agreeing risk management plans across the Council.	July 2015	Dec 2015	Yes

6.0 WHISTLEBLOWING AND SAFEGUARDING IN MERTHYR TYDFIL

- 6.1 In August 2019, the Wales Audit Office, following the receipt of a complaint carried out an audit of the whistleblowing and safeguarding arrangements in Merthyr Tydfil. They were looking at safeguarding arrangements in general and how this was understood corporately and reviewing a specific professional concern case.
- 6.2 Information from the previous audit was shared with them and the improvements that had been made in respect of the Corporate Safeguarding Arrangements. They were able to see evidence of improvements and the success of the Corporate Safeguarding Reference Group, which has had input from all areas within the Council.
- 6.3 Most of the review focussed on the whistleblowing process and the professional concern matter. Since the case they were considering had been dealt with, our professional concern processes had been updated in accordance with the new procedures. Clear records are taken and decision making clearly recorded with all agencies being party to these discussions.
- 6.4 The following Proposals for improvement were made in the report.

Recommendations:	Response:
The Council should ensure that there are accurate and timely records of all meetings relating to safeguarding enquiries, ensuring that these minutes include the reasons for any decisions in accordance with current Welsh Government Guidance.	Records of all meetings are kept. These include reasons for decisions made. Potential transferrable risks to the workplace are discussed and clearly recorded to inform decision making.
The Council should ensure that its staff are	All staff emails are periodically sent to staff

<p>familiar with its whistleblowing policy and procedures and that any concerns raised by staff should be recorded and a written response should be sent to the whistleblower in accordance with the Council's policy.</p>	<p>to remind them of the whistleblowing policy and procedures to follow. The whistleblowing policy has been placed on the intranet for staff to address http://intranet.mtcbc.local/intranet/staff-hub/human-resources-and-payroll/whistleblowing/ Information posters have been displayed around the Council offices. Full records kept and a clear timeframe set out at the start of the investigation.</p>
<p>The Council should re-affirm with relevant staff the circumstances in which a school's governing body should commission an independent investigation in relation to a safeguarding allegation against a member of the school's staff.</p>	<p>Refresher training took place with the Human Resources Team in October 2019.</p>
<p>The Council should ensure that:</p> <ul style="list-style-type: none"> • it retains sufficient centrally-funded HR capacity to fulfil its statutory duties in relation to schools; and • in consultation with schools, reviews the Service Level Agreement governing the sale of HR services so that it reflects the needs of schools as customers. 	<p>The Service Level Agreement evaluation for 2019-20 resulted in an overall judgement of Good. The judgement made by each school on a service has been calculated by averaging the judgements made across all 5 questions relating to the service. The overall judgement on each service has then been calculated by averaging the judgements made by each school. The HR department is consulting with the Headteachers to ensure the agreement reflects the needs of the school as customers.</p>

7.0 FINANCIAL IMPLICATIONS

7.1 There are no financial implications associated with this report.

LISA CURTIS JONES
CHIEF OFFICER (SOCIAL SERVICES)

COUNCILLOR CHRIS DAVIES
CABINET MEMBER FOR
SOCIAL SERVICES

BACKGROUND PAPERS		
Title of Document(s)	Document(s) Date	Document Location
Does the report contain any issue that may impact the Council's Constitution?		No