

This Report will be made public on 1 November 2021



Report Number: **OS/21/08**

To: Overview and Scrutiny Committee
Date: 9 November 2021
Status: Non - Key Decision
Responsible Officer: Jyotsna Leney, Health Wellbeing and Partnerships Senior Specialist
Responsible Member: Councillor Jennifer Hollingsbee, Cabinet Member for Communities, Lifeline, Area Officers & Street Homeless

SUBJECT: Refresh of the Council's Children, Young People and Vulnerable Adults Safeguarding Policy

SUMMARY: The Council is part of the statutory safeguarding role within the wider public sector, with responsibilities to children, young people and vulnerable adults. The children, young people and vulnerable adults safeguarding policy of the Council has been updated and is attached at Appendix A. The Overview & Scrutiny Committee are advised that the safeguarding policy is refreshed every two years and that the changes made to the 2019 policy include new legislation and changes to practice that are incorporated in the 2021 policy.

RECOMMENDATIONS:

- 1. To receive and note report OS/21/08 and the refreshed children, young people and vulnerable adults safeguarding policy attached at Appendix A.**
- 2. To provide feedback on this safeguarding policy**

1. BACKGROUND

- 1.1 Section 11 of The Children Act 2004 places a statutory duty on key organisations to ensure that, in discharging their functions, they have regard to the need to safeguard and promote the welfare of children and vulnerable young people. Similar obligations apply to vulnerable adults under The Care Act 2014.
- 1.2 The Council is part of the statutory safeguarding role within the wider public sector, with responsibilities to children, young people and vulnerable adults.
- 1.3 The children, young people and vulnerable adults safeguarding policy (the policy) was last published in October 2019 and is subject to a review on a 2 yearly cycle. Since the policy was last published there have been some significant changes to legislation and additional responsibilities placed on organisations including Local Authorities to address the changing trends in safeguarding matters.
- 1.4 This report highlights some of the changes made to the 2019 policy, and the Council's response to those in terms of practice where applicable.

2. Revisions to the Policy since the last review (examples)

- 2.1 OSC are advised that the policy at Appendix A has been revised to include new legislation e.g. the Domestic Abuse Act 2021 and updated with new practice. These include changes to the adult LADO function see 2.2 below and the need to reference specific areas of practice in more detail such as escalation policies (where an agency partner is found not to be doing their part in addressing a safeguarding concern), this is now included in the new policy. A bespoke FHDC Serious Adult Review (SAR) process was required to be created with flow chart and is now incorporated in the policy. Additional detail is also added to key sections e.g. support given to specific groups such as those at risk due to disabilities and care leaver requirements.
- 2.2 The KCC LADO (Local Authority Designated Officer) role for children is more clearly explained with relevant links set out in the policy. For example where there is a suspicion of a member of staff having acted inappropriately with children or young people the requirement to investigate could result in a referral to the KCC LADO service for children. This ensures that children are protected and that the individual is dealt with appropriately, including informing the DBS if required.
- 2.3 KCC used to run a similar service for managing allegations against staff where adults were concerned eg when a member of staff may have acted inappropriately with a vulnerable adult. However, KCC ended the LADO function for adults in July 2020. Instead, all KMSAB partner agencies must have their own policy and procedures in place for responding to concerns against any person who works with adults in positions of trust (in either paid or unpaid capacity) in line with the Care Act 2014. The district council will use its existing disciplinary processes to address such allegations.

Further details on where to find additional information on the requirement for people in positions of trust (PiPoT) are also provided in the policy. In addition the Council's whistle blowing policy under fraud and corruption and widely available to staff can be used, should a requirement to report present itself.

- 2.4 Some of these changes have been made due to various audit requirements that the Council is required to undertake on both adult and child safeguarding by various bodies.
- 2.5 There is also a need to more effectively show the links across to wider partnership working and new areas of work e.g. contextual safeguarding and ACE (Adverse Childhood Experiences) and trauma informed practices ie ensuring trauma experienced in early life is acknowledged in practice and the voice of the child is heard. These changes are shown in section 4.0 and section 6.0 of the refreshed policy.
- 2.6 There have been a significant number of staff changes across the organisation since the last policy was published and as result a there has been a drive to increase the number of DOs (Designated Officers for safeguarding) across the Council. The policy is updated with new DO details etc. The safeguarding page on the Intranet has also been revised and updated.
- 2.7 Additional work is ongoing around training needs and the new Safeguarding Specialist is developing a training needs assessment for all staff in the organisation. It is clear that there is a need to make the adult safeguarding e-learning course mandatory for all staff (separate to the existing mandatory child safeguarding e-learning). This will be required to be completed every 3 years.
- 2.8 Adult Safeguarding is now the most common form of safeguarding concern being received by the council with many complex cases coming forward encompassing mental health issues, threats of suicide and other vulnerabilities e.g. disability etc.

By way of comparison, a breakdown of concerns received in 20-21 is provided below:

	Child Safeguarding concerns raised (20-21)	Adult Safeguarding concerns raised (20-21)
Q1	1	13
Q2	1	14
Q3	2	11
Q4	0	12

3. Conclusion

- 3.1 The children, young people and vulnerable adults safeguarding policy undergoes a revision every 2 years. Key changes to practice and new legislation is highlighted in the policy. The key changes are set out in section 2.0 of this report.

- 3.2 Members are asked to provide feedback on the document.
- 3.3 The policy will be taken to Cabinet and Council on 24th November 2021 for adoption.

4. RISK MANAGEMENT ISSUES

- 4.1 There is not a great deal of risk management involved in this issue

Perceived risk	Seriousness	Likelihood	Preventative action
Policy not adopted and statutory duty to carry out safeguarding compromised	Medium	Low	To adopt the policy

5. LEGAL/FINANCIAL AND OTHER CONTROLS/POLICY MATTERS

5.1 Legal Officer's Comments (NM)

There are no legal implications arising directly out of this report. As stated in the body of the report a statutory duties are imposed on local authorities by the Children Act 2004, the Care Act 2014 and most recently the Domestic Abuse Act 2021. The updated policy provides the framework for the Council to fulfil these statutory obligations.

5.2 Finance Officer's Comments (DH)

No financial implications for FHDC.

5.3 Communication Officer Comments (JW)

There are no external communications implications arising from this report.

5.4 HR Officer comments (RB)

Aspects that affect council staff are considered in the body of this report. There are no further direct HR implications emanating from this report.

5.5 Equalities and Diversities comments (GE)

The safeguarding policy sets out how the most vulnerable in society are protected and covers all protected groups.

6. CONTACT OFFICERS AND BACKGROUND DOCUMENTS

Councillors with any questions arising out of this report should contact the following officer prior to the meeting

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Appendices:

Appendix A: Folkestone & Hythe District Council Children, Young People
and Vulnerable Adults Safeguarding Policy