

ITEM 11 Community & Leisure – Safeguarding Children and Vulnerable Adults update

Report of the Head of Community & Leisure (Portfolio: Community & Leisure)

Recommended:

OSCOM endorses the progress made with regards safeguarding

SUMMARY

- This report is a summary of work undertaken in this area as requested at the Overview and Scrutiny Committee as part of a bi- annual review of the safeguarding policy and practices.
- Our safeguarding procedures were last reviewed by Overview and Scrutiny in 2013. Since then there have been a number of changes in the safeguarding arena and emerging issues that Test Valley Borough Council has incorporated into our safeguarding responsibilities which are outlined in this report.
- The Safeguarding Children and Vulnerable Adults Policy has been updated and approved by OMT to take into consideration new requirements upon local authorities. This was approved by OMT on the 23 February 2016.

1 Introduction

- 1.1 Section 11 of the Children Act 2004 places key responsibilities on district councils (as a statutory partner) with regard to safeguarding children and young people.
- 1.2 The Care Act 2014 came into force in April 2015, replacing the No Secrets 2000 guidance we were previously working under. This now places adult safeguarding on a statutory footing and requires district councils to pay due regard to our vulnerable adults in accordance with this legislation.
- 1.3 The Counter-Terrorism & Security Act 2015 places a duty on specified authorities in the exercise of their functions to have due regard to the need to prevent people from being drawn into terrorism. It links to safeguarding for both children and adults. TVBC will use the same referral process as for any other safeguarding concern.
- 1.4 The updated Safeguarding Children and Vulnerable Adults Policy (2016) along with staff and Member training has ensured the Council remains compliant with the above duties.

2 Background

2.1 Over the course of the last two years, there have been a number of emerging issues with regards safeguarding that Test Valley BC have had to take on board. These include The Care Act, Prevent, Modern Slavery and Child Sexual Exploitation.

2.2 Section 11 Audit

Every two years as a statutory partner of the Hampshire Safeguarding Childrens Board (HSCB) the Council is required to complete a Section 11 audit as a self assessment tool to indicate standards of compliance with regards to safeguarding duties. This provides a beneficial check on current provision and also helps indicate areas of improvement.

2.3 The last Section 11 Audit was carried out in 2014. The HSCB concluded that overall TVBC is compliant with all statutory duties under Section 11 of the Children Act 2004.

2.4 The Council was assessed to be strong in 5 of the 10 questions:

- Strategic Leadership.
- Integrated working practices. This included the newly established Early Help Hub and the roll TVBC played during the setting up of the Hub. We continue to support with attendance of the weekly Early Help Hub meetings with representatives from Housing and Community Safety teams.
- Staff induction, training and appraisal.
- Staff supervision and accountability.
- Complaints and allegations against staff.

2.5 Areas for development were:

There were some areas of development identified in the HSCB feedback and where practicable these are being addressed. It is of note that some areas are not ones in which our role enables or warrants significant changes so will remain as areas for development due to the format of the audit tool.

- Job Descriptions include statements with regards safeguarding.

All jobs with a direct link to safeguarding will be updated to include a direct reference.

- Staff with a responsibility for recruitment and selection to receive the appropriate training in order to identify recruits with core skills required for safeguarding.

All staff involved with recruitment will be required to undertake a new e-learning training programme (which will include a safeguarding section).

- Records are made of ethnicity, gender and disability to help evidence that practice is non-discriminatory with regards safeguarding.

TVBC do keep records on protected characteristics relevant to the service provision and need e.g. Housing keep a record of ethnicity, age, gender for people they are working with. Test Valley BC position is that we do not feel it necessary to add further questions for staff to find out when making a safeguarding referral and feel this is information that Childrens Services can ascertain if required.

- Client confidentiality and information sharing.

Policies and good practise guidelines are in place for ensuring client confidentiality is maintained. Information sharing protocols are covered in level 2 safeguarding training and touched upon at induction training. This is an area for further development to ensure key officers have a good understanding of working together, consent and information sharing. The data protection e-learning training package is also being updated.

2.6 The Section 11 Audit for 2016 is currently being undertaken. The Council submission is due at the end of May and we will receive feedback in autumn. The format and questions within this audit are different from before therefore a direct comparison with previous audits can not be made. The audits will now be annual rather than bi-annual.

2.7 The Hampshire Safeguarding Adult Board (HSAB) will also require us to complete an audit of our safeguarding policies and procedures, the date and extent of this is not yet known.

2.8 The Hampshire Safeguarding Leads group have made a request to the HSCB and HSAB to merge the audits to save time and duplication, this request is under consideration but will not impact any audits planned for 2016/17.

2.9 Missing, Exploited & Trafficked (MET) and Child Sexual Exploitation (CSE)

Hampshire Safeguarding Children Board has prioritised this area of work in their business plan into 4 key areas.

1. Raising awareness.
2. MET Prevention.
3. Disruption of perpetrators.
4. Identifying and profiling perpetrators and hot spots.

2.10 To ensure the Council is compliant with CSE responsibilities, the following actions have been put in place:

2.11 Training on CSE follows a tiered approach relevant to need:

- CSE is included in the safeguarding training at all levels.
- CSE e-learning has been targeted to relevant staff across all services.
- Officers with an identified role such as housing and community safety officer have attended specialist CSE training.
- Agreement is currently being sought from HSCB to add their CSE e-learning to the TVBC Learning Pool so that any member of staff can take this slightly more in depth awareness training if they choose over and above the basic requirements.
- CSE was included in the recent Members safeguarding training.

2.12. All staff and Members have been informed of the Police Community Partnership Reporting Form and how it is to be used to notify the Police of any suspicious activities which can help to map hot spots areas. (SIB/MIB 5th November).

2.13 TVBC supported the MET initiative to raise awareness of CSE in targeted areas and provided details of all of our licensed taxi drivers and B&B/hotels for the MET to contact.

2.14 A section on CSE will be included in the essential training for licensed taxi-drivers and we are working with the HSCB to ensure a standard approach is taken across Hampshire.

2.15 TVBC is working in partnership with the Police Safer Neighbourhood teams to deliver awareness sessions on CSE to community groups, volunteers and the wider community.

2.16 Modern Slavery

Modules covering Modern Slavery and trafficked children have been added to the safeguarding training and e-learning refresher.

2.17 Prevent

Prevent is the Governments counter-terrorism strategy which places a duty on specified authorities in the exercise of their functions to have due regard to the need to prevent people from being drawn into terrorism. The mechanisms of Prevent links to both the children and adult safeguarding agenda as it sits alongside the requirements of the Children Act, The Care Act and our partnership work via Community Safety Management. Information on Prevent and our duties has been added to the Safeguarding Children & Vulnerable Adults policy and linked to our internal safeguarding referral processes.

2.18 The Care Act 2014

In April 2015 The Care Act came into force and placed adult safeguarding on the same legal footing as childrens safeguarding. Test Valley Borough Council had most of the obligations already in place so there have been no significant changes to our processes.

2.19 The Care Act has however changed some definitions and requirements. The significant changes for TVBC are:

2.20 Housing and Community Safety are named stakeholders within the Care Act. A district council representative from both service areas is represented on the HSAB and will instigate action at local level.

2.21 The definition of an adult at risk (vulnerable adult) is a person who has needs for care and support (whether LA are meeting these needs or not), is experiencing, or is at risk of, abuse or neglect and as a result of those needs is unable to protect themselves against the abuse or neglect or the risk of it.

2.22 Some new categories of abuse have been added: Modern Slavery, Self Neglect (including hoarding), domestic violence and organisational abuse (for example in a care setting).

2.23 A cornerstone of the Care Act is the premise of 'Making Safeguarding Personal' which means involving the person in the process and taking actions with their full and informed consent. Adults have the right to make their own choices even if others may consider them unsafe.

2.24 Should the HSCB reasonably suspect that an adult is a risk of neglect or abuse, they can request all organisations involved to carry out a Section 42 enquiry. The purpose of the enquiry is to establish with the individual and/or their representatives, what (if any) action is needed in relation to the situation and to establish who should take such action.

2.25 The safeguarding training has been amended to reflect the changes of the Care Act as was included in the recent Members safeguarding training also.

2.26 Safeguarding Training

A well established programme of safeguarding training now takes place. All staff will receive safeguarding training at either induction level or those where their role will bring them into contact with vulnerable groups take a more detailed course commensurate to their role. TVBC co train the higher level course with Eastleigh BC and Winchester CC meaning we can deliver the sessions more frequently and share the workload.

2.27 Within TVBC we are about to commence on an e-learning refresher course programme for all staff who have already taken the safeguarding training. This will form part of a three year programme of HR managed refresher training.

3 **Corporate Objectives and Priorities**

3.1 Many areas of Test Valley Borough Councils work brings officers, Members and volunteers face to face with the public and in situations where they may observe or become aware of a safeguarding concern.

3.2 Robust safeguarding procedures underpin two of the Councils Corporate priorities as set out in the Corporate Plan 2015-2019.

3.3 Contribute - Officers to work better within the communities of Test Valley, support localism and encourage communities to plan for their own needs and be more resilient. Safeguarding and ensuring staff, Members and volunteers are aware of their duties is an integral part of ensuring we work effectively and responsibly in these communities.

3.4 Live - maintaining and developing a safety net for those with the greatest housing need and are most vulnerable.

4 **Consultations/Communications**

TVBC work with key stakeholders and are represented on:

- Hampshire Safeguarding Children Board.
- Hampshire Safeguarding Adults Board.
- Test Valley Multi –agency Safeguarding Forum.
- Hampshire Safeguarding Lead Officer Group.
- TV Local Families Forum (formally the Local Childrens Partnership).
- Supporting Troubled Families.

5 **Options**

5.1 The following strategic arrangements are now in place: These are also statutory requirements of Section 11 of The Children Act and mirror our new duties under The Care Act.

- Organisational commitment to the importance of safeguarding.
- A clear statement of commitment which is available for all staff.
- Service development takes account of the need to safeguard and promote welfare and is informed, where appropriate, by the views of children and families.
- Staff training on safeguarding for all appropriate staff working with children and families.
- Safe recruitment to ensure robust recruitment and vetting procedures are in place to prevent unsuitable people from working with children.
- Effective interagency working to safeguard and promote the welfare of children.
- Robust serious case reviews and section 11 audits.

6 Option Appraisal

- 6.1 As a statutory partner under The Children Act 2004 and the Care Act 2014 TVBC has a legal duty to comply with the requirements of the Acts.

7 Resource Implications

- 7.1 Membership of the Hampshire Safeguarding Children Board for 2016/17 costs £2,059. Currently there is no subscription fee for the Hampshire Safeguarding adult Board although this is under review.
- 7.2 The subscription fees cover the Board running costs and additional resources such as Serious Case Reviews and allows free access to multi-agency training provided via the Board.

8 Legal Implications

- 8.1 Our legal obligations are set out in the following documents;
- The Children Act 2004.
 - Working Together to Safeguard Children – A guide to inter-agency working (HM Government 2013).
 - The Care Act 2014.
 - The Mental Capacity Act 2005.
 - The Safeguarding Vulnerable Groups Act 2006.
 - Counter Terrorism & Security Act 2015.

9 Equality Issues

- 9.1 An EQIA was carried out in 2011 as part of the policy development process and identified no negative impacts on the community.

10 Other Issues

- 10.1 Community Safety – there are strong links to community safety and safeguarding for both children and vulnerable adults.
- 10.2 Wards/Communities Affected – All.

11 Conclusion

- 11.1 This report sets out progress to date as detailed in the Safeguarding Action Plan following the adoption of the initial Safeguarding Children and Vulnerable Adults Policy in 2011.

<u>Background Papers (Local Government Act 1972 Section 100D)</u>			
None			
It is considered that this report does not contain exempt information within the meaning of Schedule 12A of the Local Government Act 1972, as amended, and can be made public.			
No of Annexes:	1		
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