



Carmarthenshire Council

Corporate Safeguarding Policy

September 2015

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1. Introduction

1.1 One of Carmarthenshire Council's main priorities is to ensure that there are robust arrangements and procedures in place to safeguard children and adults.

1.2 Within Carmarthenshire Council, safeguarding is considered to be a priority for every department, while acknowledging that Children's Services and Adult Social Care departments are the lead for dealing with enquiries regarding children and adults that may be suffering significant harm. Therefore Carmarthenshire Council acknowledges its responsibilities for providing direction for staff, Councillors, partnership agencies and the people of Carmarthenshire.

1.3 Safeguarding is not only concerned with the protection of children and adults but also the promotion of:

- physical, emotional and mental health;
- protection from harm and neglect;
- education, training and leisure;
- their contribution to society;
- social and economic well-being.

1.4 Every organisation working with children/young people must follow the All Wales Child Protection Procedures and those working with adults must follow the Wales Adult Protection Policy and Procedures. A number of organisations have statutory roles or duties:

- under Section 28 of the Children Act 2004, Carmarthenshire Council has a duty to ensure that it undertakes its functions from the perspective of the need to safeguard and promote the welfare of the children;
- under Section 17 of the Crime and Disorder Act 1998, it is Carmarthenshire Council's duty to ensure that every reasonable step is taken to protect adults and prevent crime and disorder when it undertakes its functions.

- 1.5 The purpose of this document is to introduce Carmarthenshire Council's 'Policy and Guidelines for Safeguarding Children and Adults'.
- 1.6 Every member of staff of the council and every Councillor will receive a copy of this document.

2. Objectives and Principles of the Policy and Guidelines

2.1 The following are the objectives of the Safeguarding Policy and Guidelines:

- To emphasise the approach in which Carmarthenshire Council undertakes its legal commitments in the field of safeguarding children and adults;
- To give reassurance to members of the public, service users, partner agencies. Council staff, councillors and people working on behalf of the Council that there are clear arrangements in place to safeguard and protect children and adults;
- That Council staff and councillors have clear guidelines to be used when there is doubt that a child or adult is at risk of harm.

2.2 We are of the opinion as a Council that it is always unacceptable for a child or an adult to be abused or be harmed in any way. This is reflected in the following principles which form the basis of the Policy and Guidelines:

- As a Council we believe that every child and adult (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;
- As a Council we believe that every child and adult has the right to be protected from harm, exploitation and abuse;
- As a Council we will put the welfare of children and adults centrally in our policies and procedures;

- As a Council we will work closely in partnership with children, their parents, carers and adults; partner agencies; and others working on behalf of the Council; to safeguard and promote the welfare of children and adults;
- As a Council we will respect the rights, wishes, feelings and privacy of children and adults by listening to them and minimising any risks that may affect them;
- As a Council we will invest in preventative work and early intervention and try to avoid situations where abuse or allegations of abuse or harm may occur;
- As a Council we want to ensure a working environment where our staff feel confident to raise any concerns about any perceived malpractice within the Council.

2.3 Outcomes

These Policy and Guidelines reflect the Council's commitment to safeguard children and adults and to protect them from being abused when they receive services arranged and provided by or on behalf of the Council.

2.4 When the Guidelines are introduced, we will measure the effect regularly and achieve the following high level outcomes:

- there is a clear understanding amongst staff, councillors, partner agencies; and others working on behalf of the Council; of the policies and guidelines for safeguarding children and adults;
- there are robust corporate and departmental procedures in place to ensure compliance with the Policies and Guidelines introduced here;
- there are clear and suitable communication arrangements in place across the organisation, including information about the key officers in each Service who are responsible for children and adult safeguarding issues;
- there is compliance between the procedures and those which are operational on an all-Wales basis and associated protocols for safeguarding children and adults ;

- that staff and councillors receive information and training regarding the guidelines and that this is a continuous and permanent arrangement within the organisation.

3. Legal framework

3.1 Definition of safeguarding and promoting the welfare of children

The definition of a child for the purpose of this document is anyone under the age of 18 years.

3.2 The **Children Act 1989** sets out that the child's welfare is paramount and safeguarding and promoting it is the priority.

3.3 The **Children Act 2004** sets out a duty on local authorities to work closely with those providing services to children and young people.

3.4 **All Wales Child Protection Procedures 2008** sets out how organisations and individuals should work together to safeguard and promote the welfare of children and young people in accordance with the Children Act 1989 and the Children Act 2004. It is important that all staff and volunteers working to safeguard children and young people understand fully their responsibilities and duties as set out in primary legislation and associated regulations and guidance.

3.5 Section 11 of the Children Act 2004 places a statutory duty on a range of organisations to make arrangements to ensure that their functions, and services provided on their behalf, are discharged having regard to the need to safeguard and promote the welfare of children. Safeguarding and promoting the welfare of children is defined as:

- protecting children from maltreatment
- preventing impairment of children's health or development

- ensuring that children are growing up in circumstances consistent with the provision of safe and effective care
- taking action to enable all children to have the best outcomes.

3.6 Definition of safeguarding and promoting the welfare of Vulnerable Adults

Wales Interim Policy & Procedures for the Protection of Vulnerable Adults from Abuse First Version: November 2010 Second Version – January 2013

The *Wales Adult Protection Policy and Procedures* are based on certain principles of the European Convention of Human Rights and the Human Rights Act 1998:

- Everyone has the right to live their lives free from coercion, intimidation, oppression and physical, sexual, emotional or mental harm.
- Everyone has the right to a family life and privacy.
- Everyone has a right to confidentiality in respect of personal information, where this does not infringe the rights of other people.
- Everyone has the right to receive full and comprehensive information to allow them to make informed choices about their own circumstances.
- Everyone has the right to the protection of the law and full access to the judicial process and criminal justice system.

3.7 Accordingly, adult protection should operate in the context of fully engaged citizenship, not restricted to social care, health services and the criminal justice system.

3.8 A vulnerable adult is a person over 18 years of age who is or may be in need of community care services by reason of mental or other disability, age or illness and who is or may be unable to take care of himself or herself, or unable to protect himself or herself against significant harm or serious exploitation. As well as in the adult's own home, abuse can occur in any setting and anywhere, eg, in care homes, day services, the home of a relative, worker or volunteer, in the community, for example when using transport.

3.9 Whistleblowing.

We take any malpractice within the Council very seriously, as we are committed to maintaining the highest standards of openness, probity and accountability. If any staff have serious concerns about any aspect of the Council's work then they are encouraged and expected to come forward and voice those concerns.

4. Responsibilities and duties of staff and elected members.

- 4.1 Every Councillor, every member of staff, every volunteer and every contracted service provider has a responsibility to adhere to the appropriate procedures in this policy.
- 4.2 This means that every Service within the Council has a key role to play and has to take full ownership of the safeguarding field. Therefore, there is a need to ensure that there are clear arrangements and procedures in place within each Service in the Council to ensure that investigations into allegations / concerns that children and adults may be suffering substantial harm receive due consideration.
- 4.3 This document draws together the corporate policies and guidelines in the field of safeguarding children and adults and it will operate as a framework for the procedures of every Service in the Council. Every Service is expected to draw up its own policies and procedures for safeguarding children and adults to fully comply with this corporate Policy and Guidelines.

Functions of key officers and members

- 4.4 *The Chief Executive* has the general responsibility for ensuring that there is an effective safeguarding policy in relation to children and adults in place; that procedures for reporting concerns are in place and that these are implemented and known within the organisation.

He is also responsible for the development of effective corporate governance and satisfying all the statutory requirements. However, there are some Key Officers who are highlighted because of their responsibilities in the safeguarding field:

4.5 *The Statutory Director (Social Services)* has the final and indivisible responsibility for safeguarding issues. He is responsible for ensuring that the Council has appropriate safeguarding measures to protect children and young people, adults and vulnerable older people and he is responsible for reporting at a corporate level to councillors on their effectiveness.

4.6 The Director is responsible for the following:

- Having oversight of the process of implementing, monitoring and improving the safeguarding and protection procedures for children and adults;
- ensuring that there are robust reporting arrangements and processes for safeguarding children and adults to report at a corporate level and to Members;
- ensuring Carmarthenshire are represented effectively at the Regional Safeguarding Children Board;
- ensuring that lessons are learned as a result of child practice reviews and that they are applied within the county.
- raising the profile, supporting the policy and ensuring that the Council complies fully with the Policy and Guidelines for Safeguarding Children and Adults;
- ensuring that all reasonable steps are taken to enable every member of staff to understand and implement high standards in terms of identifying risks and safeguarding practices;
- Ensuring that the council promotes awareness amongst the public of issues relating to safeguarding children and adults and to adapt social work practices in light of appropriate research;
- Submitting observations in his statutory role in Executive board and Council reports dealing with safeguarding.
- Deliver an annual report to the Chief Executive, Executive Board and Full council.

4.7 Whilst every member of staff has a responsibility to safeguard and promote the welfare of children and adults, the Statutory Director is the most Senior Officer in the Council with the responsibility for this.

4.8 *Lead Director for children and young people.*

The Children Act (2004) places a responsibility on every local authority in Wales to appoint a Lead Director for children and young people services and to appoint a specified lead member for children and young people services. The role of the Lead Director in Wales does not change the arrangements of an executive authority or change accountability for services. In Carmarthenshire this is the Director for Education and Children. The principle roles of this are :

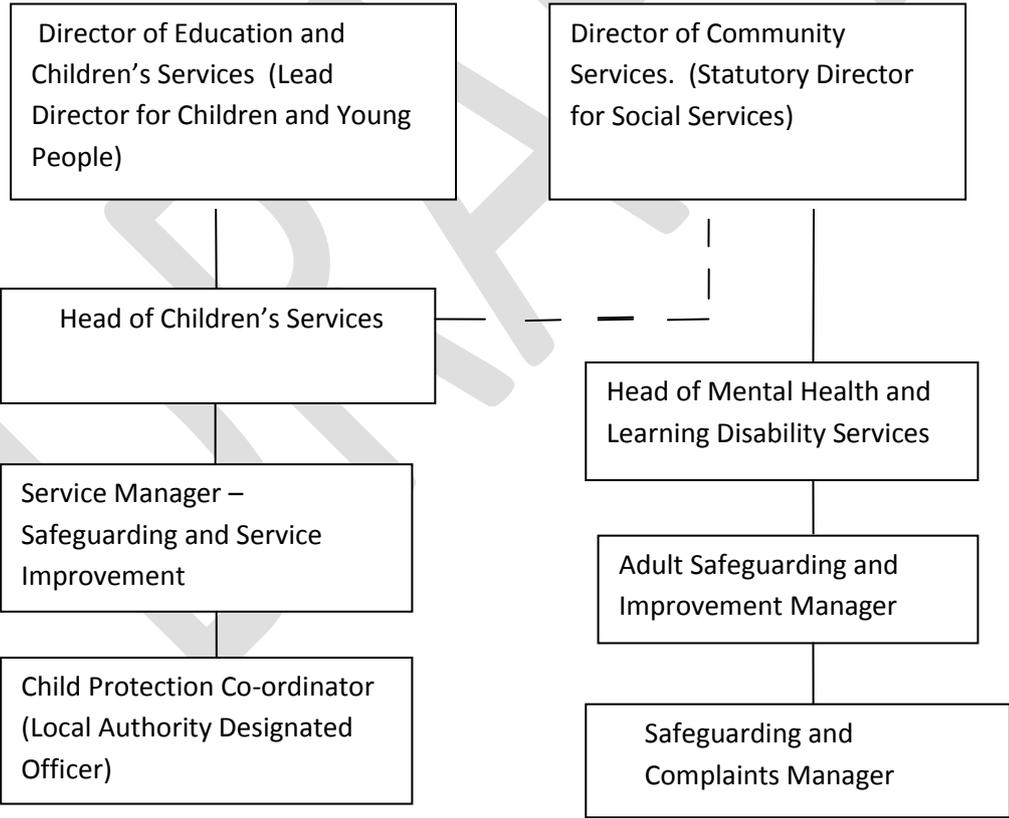
- To work closely with the Head of Children's Services and the Statutory director of Social Services to ensure Safeguarding is a priority in all aspects of planning and the performance management of services for children.
- To be responsible for promoting a partnership when planning for children and young people corporately across the departments of the local authority and in recognition of his lead role across the authority and its partners;
- To offer the required leadership to ensure that a high profile is given within the local authority to planning in partnership thereby promoting strategic change for children and young people in the field and ensuring that safeguarding practice is inherent in this planning framework is central to the work of the authority;
- for ensuring that the local authority implements the United Nations' Convention on the Rights of the Child in particular the rights that protect and promote their rights to survive and thrive, to learn and grow, to make their voices heard and to reach their full potential;
- For ensuring, with the advice of the Statutory Director and the Head of Children's services that Children's Social care is line managed effectively and an environment is created which promotes the safety of children.

Liaison arrangements

4.9 Formal monthly meetings are held between the Director of Education and Children's Services, Head of Children's Services and the Director of Community Services. Other parties may be included as required or deemed appropriate. Written records will be kept and additional meetings may be held if deemed necessary.

4.10 The Head of Children's Services has open access to the Director of Community Services for consultation, information gathering, specific performance issues and workforce development.

Therefore within Carmarthenshire the lead officer for Safeguarding Children, the Head of Children's Services, reports to both Directors.



All Heads of Service

- 4.11 All Heads of Service, through their Management Teams, will be jointly responsible for ensuring that all the statutory requirements in terms of safeguarding and promoting the welfare of children and adults receive due consideration. This includes the quality, content and frequency of training provided and maintaining sufficient staff training records.
- 4.12 All Heads of Service must ensure that where those posts are designated as regulated activity, (see - <https://www.gov.uk/government/organisations/disclosure-and-barring-service>), their staff are checked through the Disclosure and Barring Service (DBS) procedures and that their staff conform to the Policy and Guidelines for Safeguarding Children and Adults. All Heads of Service must establish arrangements to ensure that they comply with the requirements of this policy and the Council's Criminal Records Policy. All Heads of Service must arrange that records are kept of every check that is made by the DBS.
- 4.13 All Heads of Service are expected to co-ordinate the process of preparing the Policy and Guidelines for Safeguarding Children and Adults in their Service. It is expected for this Policy to be prepared in order to highlight the Service's arrangements for responding to issues that could arise in the safeguarding field. It will be a requirement for the Policy to fully comply with the Corporate Policy and Guidelines.

Every Member of Staff and Volunteers

- 4.14 Every member of staff and volunteers are responsible for undertaking their duties in a manner which safeguards and promotes the welfare of children and adults. They must also act in a way which protects them against allegations of abuse as far as possible and in accordance with this policy. They must bring issues of concern regarding the safety and welfare of children and adults to the attention of their Manager.

Contractors, Sub-contractors or Other Organisations funded by or on behalf of Carmarthenshire Council

4.15 Contractors, sub-contractors or other organisations funded by or on behalf of the Council are responsible for arranging checks through the DBS and to ensure that their staff comply with the appropriate Policy and Guidelines for Safeguarding Children and Adults. They are also responsible for informing relevant managers of the Council about any concerns they may have and to refer to protection issues.

Every Contracted Line Manager

4.16 Every Contracted Line Manager is responsible for ensuring that the staff for which they are responsible, receive the training which they need and that the training is proportionate to their responsibilities. There are guidelines regarding which members of staff should receive training and to what level and these are available from the Human Resources Service.

Role of elected members

4.17 All elected Members are to:

- understand and apply this policy and procedure in their activities
- identify opportunities and undertake appropriate training to support them in their role
- act appropriately at all times and be able to challenge inappropriate behaviour in others
- be able to recognise harm
- know how to report any concerns in a timely and appropriate way

4.18 Any lessons from Child Practice Reviews will also be identified to Elected Members as part of the Annual Report.

4.19 Members of the Services Scrutiny Committee's will receive information regarding the work of Children's Services and Adult's Services in an Annual Report. This will provide an opportunity for Members to scrutinise and challenge Members of the Executive Board. Members of the Scrutiny Committee will receive information regarding the work programme of Social Services, the progress against this work programme and the main messages stemming from the performance management arrangements.

4.20 Every Member will receive information – by means of the annual report – on the efficiency of the Council's arrangements and procedures for safeguarding children and adults.

4.21 It will be expected that every Councillor attends training in the field of safeguarding children and adults. A register will be kept of those attending and this will be reported as part of the performance monitoring arrangements to the Corporate Safeguarding group that reports to the Chief Officers Management Team (CMT). The training will raise awareness amongst Carmarthenshire Councillors of this Policy and Guidelines and increase the Councillors' understanding of the safeguarding procedures which exist within the Council.

5. Corporate Governance on Safeguarding

5.1 Safeguarding children and vulnerable adults has steadily risen in profile in Wales and across the UK. Having a clear line of sight across departments in this sensitive area is essential.

5.2 The corporate safeguarding group will report to CMT on a regular basis. The Corporate Officers Group will:

- Produce and keep updated the Corporate Safeguarding Policy;
- Produce, lead and monitor the development of a work-plan for the council in relation to Corporate Safeguarding;
- Develop and contribute to corporate policies and procedures that impact on children
- Quality assure and monitor the impact of such policies

- Ensure each department meets best practice guidance in relation to vulnerable children and adults;
- Implement the findings of any inspection of services that has corporate implications for safeguarding;
- Advise the Chief Executive as to any action that may need to be taken to improve corporate safeguarding practice. This will be formally done through quarterly reporting in the first instance;
- Produce an annual report on Corporate Safeguarding;
- Have oversight of corporate training on safeguarding;
- Guide the role of internal audit in monitoring safeguarding practice and have oversight of any reports as required;
- Review the reporting mechanisms to elected members as appropriate;

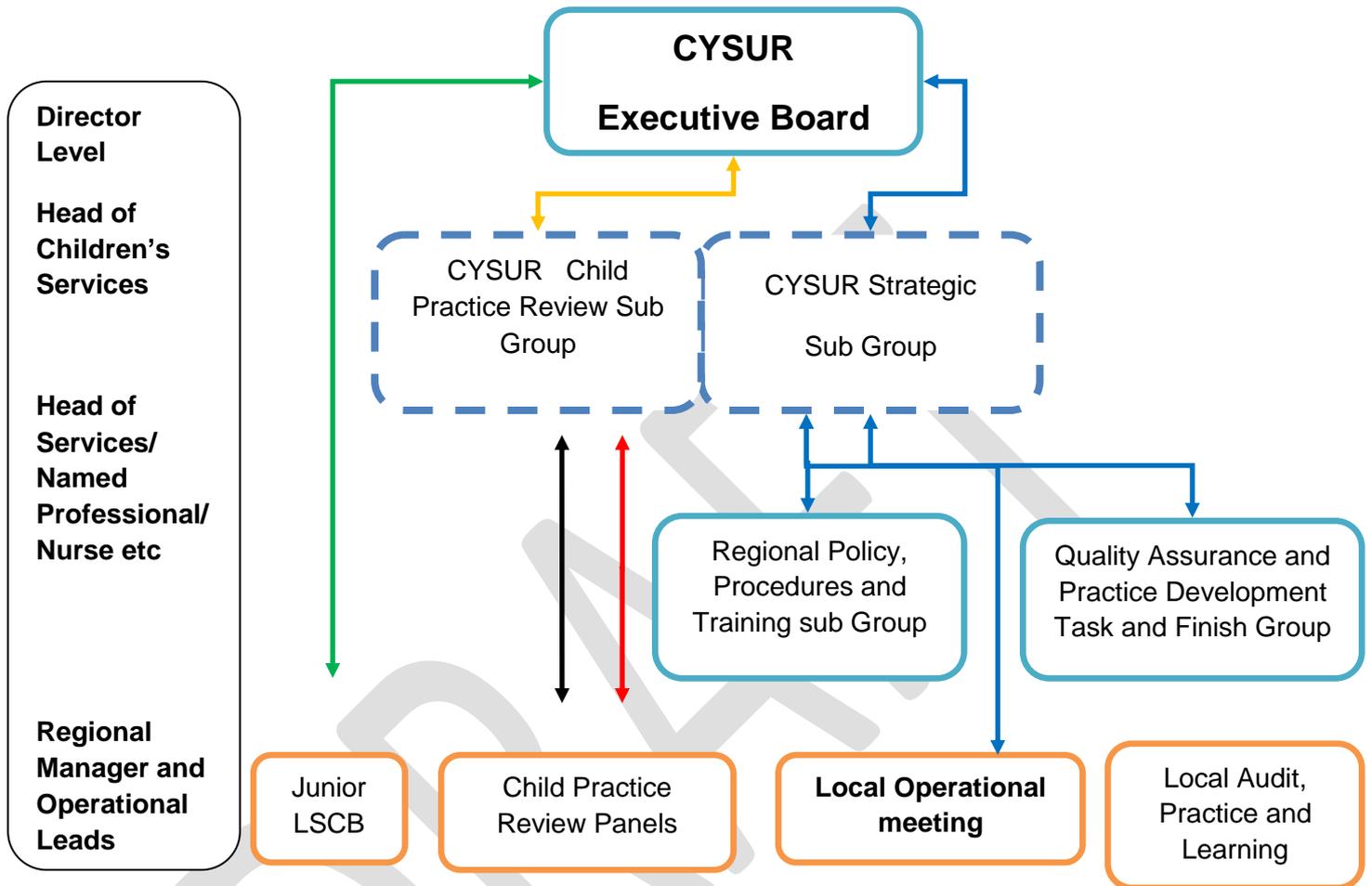
5.3 **Membership:**

- Director of Community Services (Chair and Statutory Director);
- Director for Education & Children's Services (Lead Director for Children and Young People);
- Assistant Chief Executive, People Management & Performance or his/her representative;
- Other departmental representatives as nominated .
- A Children and an Adult Protection Services lead;

The group meets monthly.

Operational Group for Safeguarding Children.

- 5.4 **Children's Services** Carmarthenshire Local Operational Group (CLOG) is accountable to CYSUR, the Regional Safeguarding Board and acts in accordance with the guidance and requirements of that Panel.



5.5 The CLOG core functions are to:

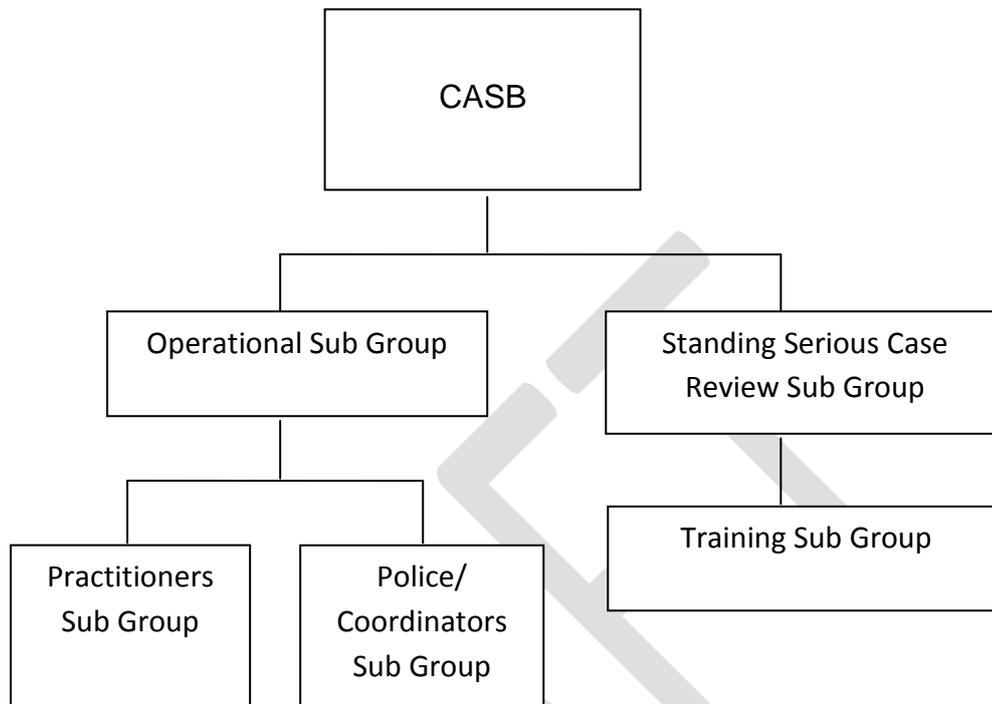
- Ensure safeguarding and child protection practice locally is in line with The All Wales Child Protection Procedures and that all new policy and procedure agreed by CYSUR is implemented locally;
- Set policy and procedures on protecting children from harm, preventing abuse and neglect, and improving inter-agency practice;
- Co-operate with all neighbouring authorities to encourage uniformity of policies and procedures;
- Undertake practice development in those areas identified in the CYSUR Business Plan;

- Maintain and improve the effectiveness of safeguarding and child protection practice within the area by monitoring performance through regular reporting mechanisms within the Audit and Evaluation framework;
- Monitor member agencies' effectiveness in terms of their work to safeguard and promote children's welfare;
- Work with the Training Subgroup on identifying training and development needs in the area, through the successful implementation of the Training and Development Strategy;
- Act as a point of reference for agencies regarding safe recruitment and other child protection policies;
- Review private fostering procedures;
- Work in conjunction with local Children and Young People's Partnership to ensure that safeguarding and promoting the welfare of children is taken into account in the local planning and commissioning of children's services;
- Evaluate county wide child protection statistics and other management information to identify trends and making recommendations for action;
- Identify local issues connected to child protection and safeguarding on which action is required and developing and implementing local plans to address these;
- Provide quarterly reports to the CYSUR Executive Board.

Adult Services

5.6 Carmarthenshire Adult Safeguarding Board is a standing committee of senior/lead officers within Adult Social Care, Hywel Dda Health Board, Dyfed Powys Police and the Crown Prosecution Service. It is chaired by the Director of Community Services. The Board's role is to promote the well being and protect adults at risk in its area.

Carmarthenshire Adult Safeguarding Board



5.7 Carmarthenshire Adult Safeguarding Board is reported into each member agency's strategic safeguarding committee/board and into the Local Service Board.

The Board has seven strategic objectives:

- 1 Effective strategic leadership, accountability and governance
- 2 Making adult safeguarding everyone's business
- 3 Develop and implement joint policies, procedures and processes for safeguarding
- 4 Engagement with service users, carers and partner organisations
- 5 Develop best practice, experience, skills in safeguarding and adult protection for those who work with adults at risk
- 6 Ensure that learning is undertaken through serious case reviews, management reviews or appropriate learning experiences
- 7 To develop a regional collaborative approach

5.8 In order to effectively achieve the Board's objectives, the following subgroups have been established with specifically agreed functions and remits:

Multi agency:

- a) Operational subgroup
- b) Serious case review standing panel subgroup
- c) Practice evaluation subgroup
- d) Police/coordinators subgroup
- e) Training subgroup

5.9 These subgroups will be chaired by nominated members of the Board who will be held accountable for delivering and reporting on the Board's objectives. Each subgroup has its own terms of reference approved by the Board.

5.10 The Board will:

- Work to relevant guidance and legislation as set out in s7 Local Government Guidance, s44 Mental Capacity Act, In Safe Hands Guidance and the interim Wales Policy and Procedures for the Protection of Vulnerable Adults
- Undertake steps to foster and maintain a relationship of mutual trust and understanding amongst the persons or bodies represented on the Board in relation to safeguarding and promoting the welfare of vulnerable adults/adults at risk within the area of the Board

Carmarthenshire Council's Services Scrutiny Committee

5.11 The Council's Services Scrutiny Committee has committed to convene specific meetings of the Committee on an annual basis to scrutinise and challenge the work and performance of the Strategic Panel for Safeguarding Children and Adults. It is considered that this is crucial so that Committee Members gain experience and understanding in the field and become completely aware of the breadth and depth of the Panel's work and the corporate arrangements.

The Integrated Community Strategy 2011 – 2016

5.12 This establishes the strategic direction for the Council's work over the years to come and identifies clear priorities and outcomes and the strategic partnerships which will respond to these priorities.

5.13 There is already a commitment that the field of safeguarding children and adults will be a specific outcome priority in the Strategy. Realising the outcome in this field will strengthen the Council's arrangements in the safeguarding and will fully respond to some of the messages stemming from CSSIW and Estyn Inspections. The Corporate Safeguarding Group for Children and Adults will monitor the performance of Services in relation to Safeguarding.

6. Reporting, monitoring and reviewing

6.1 The Corporate Safeguarding Group for Safeguarding Children and Adults will publish an Annual Report. This Annual Report will draw attention to the Council's performance in complying with the Corporate Policy and Guidelines. The Annual Report will be submitted to the Corporate Management Team, the Executive Board and to the full Council.

6.2 It is proposed to submit the Annual Report every June. Specific attention will be given to the following Performance Indicators:

No. of POVA referrals completed in the period

No. of child protection referrals in the period

% of Child referrals during the year where a decision is made within one working day

% of adult protection referrals completed during the year, the percentage where the risk has been managed

% of child protection reviews held within the statutory timetable during the year

% of adult clients with a care plan on 31 March whose care plans should have been reviewed that were reviewed during the year

% of risk assessments submitted to a Case Conference which were considered as exhibiting quality in decision-making

% of referrals re-referred within 12 months

% of staff commencing in post with two references and a CRB check

% of staff receiving safeguarding training as they receive induction

% of Councillors attending safeguarding training

6.3 The Corporate Safeguarding Group for Safeguarding Children and Adults will receive a quarterly report noting the performance of indicators dealing with the safeguarding field. In addition, the Carmarthenshire Local Operational Group will receive a copy of the performance report. Any concerns regarding underperformance will be reported directly to the Statutory Director and the appropriate Head of Service and a clear action plan will be required in order to respond to the concerns.

6.4 It is planned to ensure the independent validity of the performance reports in order to give credibility to the process.

6.5 Several methods will be used to monitor the understanding of and compliance with the procedures, e.g. inspections, one-to-one, annual service reviews, a quarterly corporate monitoring process, staff feedback, regular and ad-hoc checks.

6.6 This Safeguarding Policy will be reviewed annually or if any amendments occur in legislation or in consideration of changes in working practices which may stem from incidents or allegations.

7. Clarity regarding the referral process

7.1 Any member of staff with concerns regarding the behaviour of a colleague towards children or an adult should contact the Designated Manager within the Service immediately.

- 7.2 If a Councillor (or any member of the public) has concerns regarding the safety of an individual, then the **Children Services Referral Team (Children's Services)** should be contacted immediately on **01554 742322** or the **Adult Services Advice and Assessment Team** on **01558 825371**.
- 7.3 The **Social Services Out-of-Hours Team** should be contacted on **01558 824283** if the issue arises **after 5.00pm, Monday to Friday and on weekends and Bank Holidays**.
- 7.4 The Police must be contacted immediately if the child or adult is in danger.

This document will be reviewed annually.

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