Supplementary Committee Agenda



Cabinet Monday, 9th March, 2015

Place: Council Chamber

Civic Offices, High Street, Epping

Time: 7.00 pm

Democratic Services: Gary Woodhall

The Directorate of Governance

Tel: 01992 564470

Email: democraticservices@eppingforestdc.gov.uk

10. REVISION OF THE HOUSING ALLOCATIONS SCHEME (Pages 3 - 18)

The following representations from the public consultation are listed as background papers:

- Essex County Council;
- Loughton Town Council;
- East Thames Housing Association;
- Private Sector Housing Team, Epping Forest District Council;
- North Weald Bassett Parish Council;
- · Hastoe Housing Association; and
- Ongar Town Council.

14. SAFEGUARDING AUDIT AND REVISED POLICY & PROCEDURES (Pages 19 - 40)

The revised Safeguarding Procedures document is listed as a background paper.



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Children, Young People and Families
Goodman House
Station Approach
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Essex
CM20 2ET



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Our ref: JB/JW

Date: 8th January 2014

Essex Chief Executives c/o John Mitchell Uttlesford District Council Council Offices London Saffron Walden Essex CB11 4ER

Dear Mr Mitchell,

Re: District responsibilities for Corporate Parenting

Thank you for the invitation to attend the District Chief Executive group on 22.11.13 and the positive response. Following that presentation I have had further discussion with colleagues and with Members and Senior Officers at the Corporate Parenting Panel, which is chaired by Cllr Dick Madden, Lead Member for Children's Services in Essex. Cllr Madden has endorsed this further approach to you.

As requested I am now presenting you with some further detail behind my presentation and some specific requests for you and your fellow District Chief Executives.

One of the questions I was asked was which organisations we worked with around housing and employment. Aside from working closely with other council colleagues from Youth Service, Youth Offending Service, Education and Employability and Skills Unit we have partnerships with Family Mosaic, Foyers, YMCA's, NACRO and Catch 22 with regard to accommodation and accommodation support, and with Prince's Trust with regard to work programmes.

The two biggest challenges for us all in respect of young people in and leaving care is firstly the availability of suitable permanent accommodation as young people leave care, and secondly the availability of work programmes and employment. This is a national as well as local issue and in October 2013 the Government published a Care Leavers Strategy, which reiterated cross departmental responsibility for care leavers, including some specific attention to housing authorities' responses.







In respect of housing we are very aware of the increasing pressures on districts in terms of dwindling housing stocks and rising demand. At the same time the Localism Act has passed much greater discretion to districts to make their own decisions about how they discharge their housing responsibilities and this can obviously be of great benefit to local citizens in need. However, the combination of increased pressure coming alongside the increased discretion is that some highly marginalised groups can unintentionally fall through gaps.

Although all districts have responsibility under housing legislation to recognise care leavers as a priority group, districts currently make very different decisions about how to implement that responsibility. The number of priority housing nominations ring fenced for care leavers varies across districts from 14 a year to none and this number does not appear, in most circumstances, to bear much if any relation to the number of care leavers either originating from or placed in those districts. Where nominations are ring-fenced some districts put restrictions in place that can present significant barriers eg requiring that a care leaver has to have lived in the district for at least 5 years (excluding any time in foster care); has to have a family member living in the district for at least 5 years. As shown within the presentation the majority of young people in care have not been placed within their district of origin and may also have experienced a series of placement moves. The exclusion of foster care (and presumably also any period in residential care) from the length of residence is an immediate disadvantage and difficult to justify. There may be very good reasons why young people would not want to live in the district that their families live in or alternatively why they would very much wish to return to that district having lived for some years away from it. Flexibility therefore is crucial. We have also noted with concern recent exclusions being made in respect of people with anti-social behaviour or criminal convictions, which, if this were to be universally applied to care leavers, would present a significant obstacle. This leads to another issue, which is that some districts require a period of time in semiindependent provision, with a specific provider, before a young person is considered ready to take up a tenancy. This excludes any young person who has been living in a different type of accommodation but who may have received an equal amount of preparation for independent living and be just as ready to take up a tenancy.

In other respects the Localism Act clearly presents some opportunity for innovative schemes – eg use of assured short hold tenancies, which could be used in the first instance to test out a young person's readiness for a longer term tenancy or to tide a young person over before going off to university; use of vetted private rented accommodation. We would be interested also in the development of shared tenancies for young people and other schemes such as care leaver nomination swaps.

I mentioned during my presentation the Staying Put policy which relates to young people being able, in some circumstances, to remain in their foster placements beyond the age of 18. We now know that the government is intent on extending this provision from April 2014 as part of the Children and Families Bill. This could provide us with an opportunity to maintain more young people in foster placements for a longer period of time past their 18th birthday. This potentially not only lessens the immediate pressure on district housing authorities to re-house young people as they leave care, it also means that young people will be more prepared for the challenge of maintaining their own tenancy once they receive it.

It should be noted that Staying Put arrangements would be entirely voluntary for young people, some may not wish to take it up at all, others will want to stay with foster carers for a limited period of time past their 18th birthday.

In summary, our request to you is:

- 1. A commitment to review your housing allocation quotas and policies in respect of care leavers with a view to achieving, as far as possible, a greater level of consistency across the county
- 2. Agreement to exempt care leavers from any universal restrictions in respect of antisocial behaviour/criminal convictions
- 3. Agreement to relax restrictions in respect of "local connection" where these present unreasonable barriers to care leavers
- 4. A commitment not to reduce the existing number of priority housing nominations and to work with district and county colleagues on ways of increasing the range and quantity of post 18 housing options
- 5. A commitment to liaise with the relevant county council officers (eg in our Access to Resources Team) when considering any changes at a district housing level that has implications for young people leaving care and care leavers, including any involving district partners such as Housing Associations

Turning to work programmes and employability, I am aware that there is a great deal of activity already going on within districts and at county level. However, we need to do more to tailor these opportunities to care leavers, many of whom are unable to access opportunities provided, for a range of reasons. We have been working closely with ECC Employability and Skills Unit to develop a specific Employability Programme for young people in care and care leavers and hope to progress this early in 2014. Whilst we cannot be specific at this stage about what this will look like it is likely that this could include requests to district councils to provide targeted work experience opportunities for young people, both within your councils and with businesses that you contract with locally. Our request to you at this stage is for your support and engagement for this programme as it is launched and developed.

I have one final suggestion. As shown within my presentation the number of children in care and care leavers either originating from or placed in each district is relatively small. Whilst this means that in the face of competing pressures it is easy for them to be overlooked it also means that relatively small changes or allocation of resources can make a significant difference. Given the potential accumulative cost on society, including local communities, of getting it wrong for children in care and care leavers it would seem sensible to make a modest investment in getting corporate parenting right. As a step towards this it would be very helpful if districts could nominate a Senior Officer to act as Corporate Parenting lead, providing a liaison function between the county and the districts and an awareness raising and championing function within the district. This function already exists in districts for safeguarding so it would be a matter of putting a similar arrangement in place for corporate parenting.

I hope this provides you with the information that you required. I am very grateful for your attention to this issue and look forward to receiving your response and taking these matters forward.

Yours sincerely,

Jenny Boyd

Director of Local Delivery West

Tel: 01279 404972

E-mail: jenny.boyd@essex.gov.uk

Cc Cllr Dick Madden, County Hall, Chelmsford

Our ref:

E.7.2/EKW RW/ASch

Your ref:

Mr R Wilson Assistant Director of Housing (Operations) Epping Forest District Council Civic Offices Epping CM16 1BX

19 December 2014



I Buckingham Court, Rectory Lane Loughton, Essex IG10 2QZ Telephone: 020 8508 4200 Facsimile: 020 8508 4400 e-mail: contact@loughton-tc.gov.uk Web site: www.loughton-tc.gov.uk

Town Clerk: Enid K Walsh

Dear Roger

Review of the Council's Housing Allocations and Tenancy Policy

Thank you for the opportunity to take part in this consultation. The Town Council considered the draft documents at its meeting on 17 December 2014 and makes the following comments.

Housing Allocation Scheme

Item 14.3, page 6, Residency Criteria:

The Council welcomed the increase in local residency requirements from 3 to 5 years.

Item 14.7 page 7, Financial Criteria:

The Council considered that the new threshold of £76,000 was too low.

Item 18.9, page 10, Penalty for Refusals of Offers of Accommodation:

The Council supported the revised deferral period of twelve months.

Tenancy Policy

Item 3.10, final bullet point, page 5, Flexible (fixed-term) Tenancy:

Having already expressed an opinion that the revised financial criteria threshold shown in the Housing Allocation Scheme (item 14.7) was set too low, members were unhappy with the implications of this section for those existing tenants whose situation may have improved during their tenancy.

Item 7.2, page 10. Introductory Potentially Secure Flexible (fixed-term) Tenancies:

Noting that secure tenancies encouraged the building of strong local communities, members were unable to support this new section which could lead to uncertainty.

Please let me know if any of these comments need further explanation.

Yours sincerely

Enid K Walsh Town Clerk QUALITY TOWN COUNCIL





8th January 2015

West Essex Young People and Domestic Violence Service
Based at Harlow Foyer
Occasio House
Playhouse Square
Harlow
CM20 1AP

FAO: Mr R Wilson Assistant Director of Housing (Operations) Epping Forest District Council

oing Forest District Council

Your ref: RW/ASch

Dear Mr Wilson

Re: Consultation on review of the Council's Housing Allocations Scheme

East Thames Group, West Essex Young People and Domestic Violence Service manage a young parents' supported housing scheme in Ongar, namely Railway Meadow.

We are writing to you today to put forward our comments on the draft revised Housing Allocations scheme. Referring to the proposed changes to Residency Criteria, paragraph14.3, we feel some young people requiring our service from the Epping Forest District may be affected by these changes:

It is being proposed that any applicant who has lived in the Epping Forest District for less than five continuous years immediately prior to their date of registration will not qualify for inclusion on the Council's Housing Register unless they fall into one of the exception categories listed from a) to g), or under paragraphs 14.4 or 14.5.

Railway Meadow provide a short term supported housing service to young parents aged between 16 and 22 years, although some discretion can be given to the upper age limit depending on exceptional/personal circumstances. Epping Forest District Council currently share nomination rights with two other councils for our service, and when nominating referrals to us the nominee must meet the council's residency criteria in order for EFDC to offer resettlement by way of move on accommodation. This is offered after the young person has completed a period of tenancy at Railway Meadow, and has learnt and developed the necessary independent living skills to hold their own tenancy.

We would like to express concern that if the residency criteria changes to five years, this will exclude a lot of young people from being able to use our service. Due to their young ages, it is out of their control or power to decide where they reside in most cases; with the exception of care leavers for whom these changes will not affect, when they approach EFDC at such a young age, many may not have the required five year's residency if their parents or carers have not chosen to live in the district for the whole of that period.

Example:

Miss X is aged 19 and has a six month old child. Miss X has been asked to leave her family home by her parents, she has support needs and requires supported housing in order to learn the necessary life skills in order to be able to hold her own tenancy in the community. She approaches EFDC but does not meet the five years residency criteria, as her parents only moved in to the area three years ago when she was aged sixteen years old. At the age of sixteen, Miss X was unable to make a choice about which area she wanted to live in as was too young to hold a tenancy herself.

We are proposing that the council consider making an exception to the five year residency criteria for those young people that move into supported housing. We suggest that if a young person requiring supported housing is aged under 23 years old, the residency criteria should not apply to them. At the age of 23, a young person could have effectively had control over their last 5 years of residency, as would have been 18 years old at the start of that period and able to live alone and make a choice about where they live.

I trust that these comments will be considered by the Council's Housing Portfolio Holder as per your letter dated 1st December 2014. I would be grateful for an update following this and to be advised on the outcome of the Cabinet's decision on approval of the proposed changes following their meeting on 9th March 2015.

Yours sincerely

Karen Said Scheme Co-ordinator Tel: 01279 625709 Karen.said@east-thames.co.uk

c.c. Teresa Aken Foyer Manager Tel: 01279 625710

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<u>Comments from the Private Sector Housing Team regarding the draft Housing Allocations</u> Scheme

The following comments are made in respect of the draft Housing Allocations Policy

With respect to your Appendix 1 that lays down the proposed Priority Bandings for housing allocations and includes within Band A, point:

(vi) 'Home seekers occupying insanitary or overcrowded housing which poses a serious health hazard, or otherwise living in unsatisfactory conditions (in accordance with housing legislation)* but not as a result of the introduction of a further household.'

Where * Housing legislation is clarified as:

"*Where the Permitted Number, in accordance with the provisions of S. 326 of the Housing Act 1985 is exceeded, or the property is in a serious state of disrepair, of poor internal or external arrangement, or the property has been classified as having at least one Category 1 Housing Hazard under the Housing Act 2004 or is lacking one or more of the following; kitchen facilities, inside W.C., utility supplies."

Typically, the Private Sector Housing team receives requests from both home seekers and Housing Options staff for assessments on particular properties/ household situations as to whether a property is overcrowded or in such poor condition as to be unsuitable for occupation.

The suggestion to include the existence of a Category 1 Hazard under the Housing Act 2004 as qualifying criteria for your priority band A is likely to have significant consequences in terms of the increased numbers of households that will move into that banding because of household size.

The Housing Act 2004 (2004 Act), which introduced the Housing Health and Safety Rating System, includes within its 29 hazards the hazard of 'Crowding and Space'. This is described in the Operating Guidance as a hazard associated with lack of space within a dwelling for living, sleeping and normal family/household life. The assessment is not just the measure of over-occupation by the existing household. A range of matters are relevant to the likelihood of an occurrence and severity of harm outcomes, including layout, amenities, location and presence of recreational space.

The most important point to note about assessing for overcrowding using the provisions of the 2004 Act instead of the 1985 Act, is that the assessment will ONLY include bedrooms as sleeping rooms in almost all cases, and will only consider another habitable room as a possible sleeping room, where for example, the dwelling contains two separate living rooms, or a large living room and a separate dining room.

The outcome is that whilst a property will meet the statutory standards for overcrowding under the Housing Act 1985, it may well fail the assessment under the Housing Act 2004.

As both pieces of legislation remain in force, the Council can choose to apply either Part 1 of the 2004 Act or Part 10 of the 1985 Act.

Whilst as Environmental Health Officers we would welcome a policy that ensured ideal living standards for all households, the draft as it stands may be promising unrealistic expectations that cannot be met. In view of the above, it may be prudent to remove the presence of category 1 hazards in your consideration for priority banding so

"Where the Permitted Number, in accordance with the provisions of S. 326 of the Housing Act 1985 is exceeded, or the property is in a serious state of disrepair, of poor internal or external arrangement, or the property has been classified as having at least one Category 1 Housing Hazard under the Housing Act 2004 or is lacking one or more of the following; kitchen facilities, inside W.C., utility supplies."

In so doing, the Council will not be in breach of its statutory requirements. Whilst the 'ideal' may be allocation to a larger property, the Council has to balance the 'need' against the reality of available housing and as such meeting the Housing Act 1985 is realistic, whilst meeting the Housing Act 2004, may not be. Enquiries to other Council Private Sector Housing Officers suggest that other Councils follow this approach in respect of their Housing Allocations policies.

In terms of <u>enforcement</u> the Private Sector Housing Team will consider the Housing Act 2004 particularly as the Government's HHSRS Enforcement Guidance **advises** councils to use HHSRS and enforce under Part 1 of the 2004 Act rather than Part 10 of the 1985 Act. It is further argued that councils 'choosing' to continue to use Part 10 provisions rather than following the HHSRS Enforcement Guidance could be subject to legal challenge by Judicial Review, for non-performance of statutory duty.

However, we are very aware that the effect of any enforcement action we may take will have important implications and therefore we intend, through the proposed Epping Forest DC Overcrowding Policy to ensure that enforcement options are considered carefully and thoroughly to ensure that in fulfilling its statutory duty, the Council does not increase the burden on other areas of its service, and most importantly of all, that its actions do not lead to the displacement of families into smaller and more cramped temporary living accommodation.

Finally, just to add the proposed Appendix 2 'Sizes of Properties to be Allocated' is consistent with the guidance within the assessment for Crowding and Space under the HHSRS.

North Weald Bassett PARISH COUNCIL



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Clerk to the Council
Susan De Luca

Mr R Wilson
Assistant Director of Housing (Operations)
Communities Directorate
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Civic Offices
High Street
Epping
Essex
CM16 4BZ

4th February 2015

Dear Mr Wilson

Review of the Council's Housing Allocations Scheme & Tenancy Policy

I am writing with reference to your letter dated 1st December 2014 regarding the above consultation.

I can confirm that this was discussed at the Parish Council meeting dated 2nd February 2015, and this Parish Council **SUPPORTS** the proposed changes to both schemes.

If you require any further information, please don't hesitate to contact me.

Yours sincerely

Adriana Jones Principal Finance Officer





<u>Hastoe Housing Association response to Epping Forest District Council</u> Housing Allocations Scheme review.

As a rural housing specialist we have a particular interest in allocation policies for rural exception site schemes. These schemes are developed to meet specific local needs and not district wide needs. Therefore there is a need to ensure that district wide allocations policies do not conflict with the need to maintain the local connection for these rural schemes. The development of exception sites is normally dependent on the support of a local landowner and the support of the Parish Council and this support will not be forthcoming if the local connection for lettings is not protected. Similarly, the exception site planning permission is granted because the homes are meeting a specific rural local need. If the local connection is not protected these schemes will not come forward for development.

Appendix 4 Clause 2.4

We believe this clause needs expanding to confirm that applicants will still be accepted on the housing register where they do not meet the district wide local connection criteria but do meet the local connection criteria for the exception site as set out in the S106 agreement. The local connection criteria in the S106 is set to take account the size of the area, the local need and the fact that some residents may have had to move out of the area because they could not find affordable accommodation there. For example, our schemes in Matching Tye and Abbess Roding have a local connection criteria which requires that a person has lived in the village or neighbouring village 'for at least five of the preceding ten years'. If the district wide policy of excluding those who have lived in Epping Forest district for less than five continuous years immediately preceding registration is applied then some households who meet the S106 local connection criteria may not be able to join the housing register.

We request that the clause confirms that an exception site local connection criteria would take precedence over the district wide connection criteria. This would mean that where an applicant identifies that they are applying for a specific exception site scheme, they would be allowed to join the housing register if they meet the local connection requirements in the S106 for that scheme (even though they may not meet the district wide local connection criteria).

Secondly, we request that an additional clause is added allowing under-occupation by one bedroom of homes on rural exception sites, where there are no applications from local households (either from the main named parish or named neighbouring parishes) who meet the exact property size. Rural exception site schemes are developed to meet the long term housing needs of a rural location and therefore the

homes developed will not always perfectly match the specific housing need when a vacancy arises. Some households will of course expand and fully occupy homes over time. A clause which allows under-occupation by local households prior to considering households outside the local area helps ensure that the homes are protected for local people.

We have attached an example of how these issues can be covered in an Allocations Scheme. In Appendix 2, page 35 of Uttlesford District Council's Allocation Scheme the section **Rural Housing - Exception Site** covers these issues.

We are happy to suggest a specific form of wording if this would be helpful.

Thank you for giving consideration to these issues.

Gary Roffey Regional Manager (East) Hastoe Group

Direct Dial: 01799 533499 Email: groffey@hastoe.com

Ongar Town Council





Aimi Middlehurst Town Clerk

R Wilson Esq Assistant Director of Housing (Operations) Communities Directorate Epping Forest District Council Civic Offices High Street Epping CM16 4BZ



28th January 2015

Dear Mr Wilson,

Re: Review of the Housing Allocations Scheme & Tenancy Policy

The Town Council would like to make the following observations:-

HOUSING ALLOCATIONS SCHEME

Flexible (fixed term) Tenancies Item 9.1 and 9.2 As stated under the Tenancy Policy applicants could find this section confusing.

Tenancy Start Dates Item 11.1

All home seekers should be given the opportunity of viewing the property offered.

Residency Criteria

Item 14.3

Under this proposal there will be a large change with applications – because of that some applicants stand to lose their place on the housing register. Making that kind of decision is unfair retrospectively – is there any provision for difficult cases or flexibility.

Changing the period of residency in the area before being allowed entry onto the housing register is proportionate in view of the pressure on housing stock. This Council believes that altering the residency time for <u>existing</u> applicants retrospectively is unfair and likely to cause unwarranted distress and uncertainty.

Financial Criteria

Item 14.7

An additional bullet point to be added – Applicant will be required to produce relevant evidence of income and savings.

Proof of Identity Item 16.4

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Tel 01277 365348

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Requirements under the current scheme are more robust but this is not so with the draft scheme. The latter should be more comprehensive.

Proof of Residency

Item 16.8

An alteration to the last sentence of paragraph 16.8 to remove the words "from time to time".

TENANCY POLICY

Assessment Criteria - Decision on granting a Flexible (fixed term) Tenancy

Item 3.8

Bullet point 2 - the draft policy has omitted this point that is contained in the current scheme. Why is this?

Bullet point 6 – The current scheme specifies the financial thresholds taken into account. In the draft scheme this information is omitted so tenants have no indication of the Council's threshold regarding income.

Item 3.11

A definition of "care leaver" would be helpful.

Introductory Potentially Secure Flexible (fixed term) Tenancies

Item 7.2 and 7.3

These clauses will be very confusing for tenants. What is the thinking behind stating 9 years? What happens at the end of 10 years?

Tackling Social Housing Fraud

Item 11.1

Councillors think that further details should be given in the draft to make tenants more aware of the aspects of Housing Fraud Officers remit especially regarding illegally sub-letting and Right to Buy visits.

Should you require any further information, please do not hesitate to contact me.

Kind regards

Áimi Middlehurst Town Clerk







APPENDIX B

Epping Forest District Council

Safeguarding Children, Young People and Adults

Procedures

January 2015

Version	1	Status	FINAL
Implementation Date	January 2015	Review Date	January 2016
Author	Lynn Maidment	Procedure Lead Officer	Caroline Wiggins

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Section One - Introduction

These Procedures set out how Epping Forest District Council (EFDC) responds to safeguarding issues and are a general guide to help staff know what to do if they have a safeguarding concern. They accompany, and should be read in conjunction with, the Safeguarding Children, Young People and Adults Policy. However, if staff encounter issues such as Honour Based Abuse or Domestic Abuse they must read the relevant policy to ensure they are responding appropriately - these can be found on the Council's Intranet in the 'Safeguarding' section. Staff should also refer to the 'Safeguarding main areas of concern' document to determine which policy is required eg. for potential radicalisation staff should refer to the Prevent Policy.

It is vital for successful safeguarding that the procedures in this section are understood and applied consistently by everyone. When abuse does take place, it needs to be dealt with swiftly, effectively and in ways which are proportionate to the issues. All staff, in whatever setting, have a key role in preventing harm or abuse occurring and in taking action where concerns arise. Some procedures are specific to children or adults but for ease of reference the term 'vulnerable people' or 'vulnerable person' will be used to mean children, young people or adults with needs for care and support.

The Council's Safeguarding Team, which are based within the Community Safety Team, is responsible for responding directly to any safeguarding concerns raised by staff and members of the public. The team will:

- work to ensure that reporting safeguarding concerns, incidents and allegations is as easy as possible.
- take all reports seriously by recording and assessing all cases.
- keep the original staff member who raised a concern informed of action taken wherever possible.
- ensure that everyone involved in raising a concern is treated fairly, with dignity and respect.
- provide guidance, support and advice, in partnership with other agencies to help colleagues address victims' needs.
- share relevant information and intelligence on safeguarding issues with partners as appropriate.
- ensure that individuals and/or communities can raise concerns when it is considered that safeguarding issues are not being tackled positively.
- work with Council staff to provide training, education and support to ensure appropriate concerns are raised and reduce the amount of inappropriate referrals being made to external agencies.

Aims

The procedures aim to make sure that:

- a timely, professional and ethical response is made to safeguarding issues.
- all relevant legislation is adhered to when making safeguarding referrals.
- the needs, interests and human rights of vulnerable people are always respected and upheld.

Working in partnership

The Council works with a variety of different organisations to ensure an effective safeguarding service is provided to vulnerable people including other public and statutory agencies, voluntary and private sector organisations. Local authorities have the lead role in co-ordinating work to safeguard children and adults with needs for care and support. However, it is recognised that successful responses also require multi-agency and multi-disciplinary working.

Information sharing

Information sharing is a vital part of early intervention and preventative work, to promote welfare, for wider public protection and in improving outcomes for all. However, people want to be confident that their personal information is kept safe and secure and that staff maintain their privacy, while sharing appropriate information to deliver better services. Decisions about what information is shared and with whom will therefore be taken on a case-by-case basis. Information should be:

- necessary for the purpose for which it is being shared.
- shared only with those who have a need for it.
- be up to date and shared in a timely fashion.
- be shared accurately and securely.

3

The Government produced an information sharing document which outlined 'seven golden rules' to support organisations in making decisions about when it is appropriate to share information with others. These are:

- **1.** The Data Protection Act 1998 is not a barrier to sharing information but provides a framework to ensure that personal information about living persons is shared appropriately.
- 2. Be open and honest with the person (and/or their family where appropriate) from the outset about why, what, how and with whom information will, or could be, shared and seek their agreement, unless it is unsafe or inappropriate to do so.
- 3. Seek advice if in any doubt, without disclosing the identity of the person where possible.
- **4. Share with consent where appropriate** and, where possible, respect the wishes of those who do not consent to share confidential information. Staff may still share information without consent if, in their judgement, the lack of consent can be overridden in the public interest. Staff will need to base their judgement on the facts of the case.
- **5. Consider safety and well-being** so base information-sharing decisions on considerations of the safety and well-being of the person and others who may be affected by their actions.
- **6. Necessary, proportionate, relevant, accurate, timely and secure:** Ensure that the information shared is necessary for the purpose for which it is being shared, is shared only with those people who need to have it, is accurate and up-to-date, is shared in a timely fashion, and is shared securely.
- 7. **Keep a record** of any decision and the reasons for it whether it is to share information or not. If you decide to share, then you should record what was shared, with whom and for what purpose.

In all cases where information is shared the following information should be recorded:

- · date and time.
- an accurate summary of information shared.
- who the information was shared with.
- whether it was shared with or without consent (if without consent, whether the child or family or employee were informed).
- how the information was shared and any receipt of it having been received.

Confidentiality

All staff must recognise that confidentiality is vital in all matters relating to safeguarding. Information must only be shared with colleagues where essential (on a need to know basis) and with other professionals.

Once a concern and/or referral has been made staff must not discuss any of the safeguarding issues with anyone else in or outside the Council including parents, carers, and relatives, of the child, young person or adult with needs for care and support.

The only individuals who information should be shared with are line managers, the Safeguarding Lead Professional, the Safeguarding Lead Officer, a Safeguarding Lead Deputy, the Safeguarding Officer, Safeguarding Administration Assistant or in the case of an allegation against a member of staff, the Human Resources Manager (or Deputy in their absence).

This does not exclude the employee from the need or right to consult with a solicitor, trade union representative or other bona fide legal adviser.

Consent

If possible, referrals should be made with the knowledge and consent of a child's parent or carer unless there is evidence to suggest that seeking consent would place the child at greater harm. For adults with needs for care and support, it is important to consider whether they are capable of giving informed consent in all aspects of their life.

Staff must consider whether seeking consent might increase the risk to the vulnerable person, cause an unjustified delay to reporting or if it could prejudice the prevention, detection or prosecution of a serious crime.

When in doubt advice should always be sought from someone experienced in dealing with these issues.

Consent is not required to breach confidentiality and make a safeguarding referral where:

- other people or children could be at risk from the person causing harm.
- it is necessary to prevent crime or if a serious crime may have been committed.
- there is a high risk to the health and safety of the adult at risk.
- the person lacks capacity to consent.
- where the alleged perpetrator may go on to abuse others.
- there is a statutory requirement eg. Children's Act 1989, Mental Health Act 1983, Care Standards Act 2000.
- the public interest overrides the interest of the individual.
- when a staff member/volunteer is the person accused of abuse, malpractice or poor professional standards.

Mental capacity

The Mental Capacity Act (MCA) 2005 requires an assumption that an adult has full legal capacity to make decisions unless it can be shown that they lack capacity to make a decision for themselves at the time the decision needs to be made. The Act provides a statutory structure to empower and protect people who may lack capacity to make decisions for themselves and for making decisions on their behalf.

Individuals must be given all appropriate help and support to enable them to make their own decisions or to maximise their participation in any decision-making process. Unwise decisions do not necessarily indicate lack of capacity.

Any decision made, or action taken, on behalf of someone who lacks the capacity to make the decision or act for themselves must be made in their best interests. Issues of mental capacity and the ability to give informed consent are central to decisions and actions surrounding safeguarding adults.

All interventions need to take into account the ability of adults to make informed choices about the way they want to live and the risks they want to take. This includes their ability:

- to understand the implications of their situation.
- to take action themselves to prevent abuse.
- to participate to the fullest extent possible in decision-making about interventions.

Complaints and Compliments

Where members of the public feel that positive action is not taking place to deal with safeguarding they can complain by contacting the Council and requesting a copy of the Compliments and Complaints Booklet which provides step by step guidance on making a complaint.

The same process can also be applied to members of the public who wish to compliment the actions of an officer.

Whistleblowing

The Council has a Whistleblowing (Confidential Reporting) Policy which enables staff to raise concerns regarding safeguarding issues about colleagues in a safe and secure manner and without risk of repercussion.

Support for staff

There are many difficult and sensitive issues involved when dealing with the subject of abuse, in whatever form it may take. It could trigger off personal memories for staff which could affect them in their daily activities – sometimes without the staff member realising this is what is affecting them. Or, just simply dealing with a harrowing and difficult situation is enough to cause significant distress.

If staff feel they are being, or have been affected, by dealing with a safeguarding situation, they should talk to their Line Manager in the first instance.

Reviewing the Procedure

The Safeguarding Children, Young People and Adults Procedure will be reviewed annually by the Safeguarding Lead Officer.

Other relevant information

Other relevant EFDC policies and procedures that may be read in conjunction with this document:

- Safeguarding Children, Young People and Adults Policy;
- Honour Based Abuse Policy and Procedures;
- Domestic Violence in the Workplace Policy and Manager's Toolkit;
- · Recruitment Policy and Procedures;
- Whistleblowing Policy (Confidential Reporting Policy);
- Safe Working Practice Guide A guide to professional boundaries for staff
- Staff Code of Conduct and Dress Code;
- · Staff Handbook Disciplinary Policy;
- Stress Management Policy;
- · How do I deal with Stress? Support for Staff booklet.
- Lone Working Policy;
- A Guide to Risk Management for Managers and the Risk Assessment Template;
- · Procedure for Dealing with Difficult Customers;
- · Violence at Work Guidance for Staff;
- Disability Etiquette Guidance Notes for Staff;
- Equality and Diversity Policy;
- · Compliments and Complaints Booklet;
- Dealing with Complaints for officers and members
- · Safety Policy;
- Supplementary Job Description for Council First Aiders;
- · Accident and Incident Report Guidance.
- Data Protection Policy and Procedures.
- IT Policies and Procedures regarding e-safety and appropriate use of the internet.
- Prevent Policy

Other organisation's policies and procedures:

- Essex County Council Early Years & Children How to respond to Safeguarding Concerns;
- Essex County Council Early Years & Children Safeguarding Guidance
- Essex County Council Support for Disabled Children and Young People and their Families in Essex
- Essex Safeguarding Children's Board Effective Support for Children and Families in Essex
- Southend, Essex & Thurrock (SET) Child Protection Procedures.
- Southend, Essex & Thurrock (SET) Safeguarding Adult Guidelines.

Forms:

The following forms can be found on the EFDC Intranet:

- Safeguarding Report Form in the 'Safeguarding' section.
- Accident Report Form in the 'Human Resources' section.

Staff should monitor internal Council bulletins and Intranet pages for new and updated versions of relevant safeguarding policies.

Section Two - Responsibilities of staff

Safeguarding is the responsibility of everyone and anyone can raise a safeguarding concern. If staff see something that worries them, they have a responsibility to report it. By reading, understanding and following the Council's Safeguarding Children, Young People and Adults Policy, and Procedures, staff are protected and know that they are doing everything within their power to help keep a vulnerable person safe. One thing staff must **not do** if they suspect that a child, young person or adult is being abused or mistreated is **nothing**.

The Safeguarding Team

The Safeguarding Team consists of staff from the Community Safety Team, within the Communities Directorate. They are the first port of call for all safeguarding concerns, requests for referrals and enquiries from Council staff and members of the public.

If staff feel someone is at immediate risk they should contact the relevant authority themselves eg. Police. However, all other safeguarding concerns should be raised with the Safeguarding Officer in the first instance.
Supports the Safeguarding Officer in the delivery of the safeguarding service. Deals with enquiries from staff and the public regarding safeguarding.
Acts as adviser to the Safeguarding Officer and Administration Assistant and responds to safeguarding concerns in their absence.

The Team also has a dedicated email address which is listed on the back of the Safeguarding Report Form for staff to send any safeguarding concerns or enquiries: safeguarding@eppingforestdc.gov.uk

Designated Roles in the Council

Some officers within the Council have specific safeguarding functions. They work to ensure the Council fulfils its statutory requirements and ensures that all safeguarding issues are dealt with appropriately:

Safeguarding Lead Professional

Has overall accountability for safeguarding children, young people and adults with needs for care and support.

Alan Hall - Director of Communities

Tel: 01992 564004 Email: ahall@eppingforestdc.gov.uk

Elected Member Champion

Attends the Corporate Safeguarding Group and promotes the importance of safeguarding amongst all Members.

Councillor Gary Waller - Portfolio Holder for Safer, Greener & Transport.

Tel: 07974 412523 Email: gary.waller@which.net

Safeguarding Lead Officer

Responsible for advising the Lead Professional in regard to concerns, referrals and safeguarding allegations against staff.

Julie Chandler - Assistant Director Community Services and Safety

Tel: 01992 564214 Email: jchandler@eppingforestdc.gov.uk

Safeguarding Lead Deputies

These officers deputise for the Safeguarding Lead Officer as and when required:

Caroline Wiggins - Community Safety Manager

Tel: 01992 564122 Email: cwiggins@eppingforestdc.gov.uk

Russell Wallace - Housing Options Manager

Tel: 01992 564024 Email: rwallace@eppingforestdc.gov.uk

Gill Wallis - Community, Health & Wellbeing Manager

Tel: 01992 564557 Email: gwallis@eppingforestdc.gov.uk

Martin Crowe - Fraud Investigation and Intervention Officer

Tel: 01992 564170 Email: mcrowe@eppingforestdc.gov.uk

Sheila Nairne - Tenant Liaison Officer

Tel: 01992 565521 Email: snairne@eppingforestdc.gov.uk

Named Senior Officer (allegations against staff)

First point of call for staff reporting safeguarding allegations against employees. Refers to the Lead Professional and Lead Officer on this.

Paula Maginnis - Assistant Director Human Resources

Tel: 01992 564536 Email: pmaginnis@eppingforestdc.gov.uk

Deputy Named Senior Officer (in Named Senior Officer's absence)

Denise Tur - Senior HR Officer

Tel: 01992 564252 Email: dtur@eppingforestdc.gov.uk

Designated Safeguarding Reporting Officers

Representatives on the Corporate Safeguarding Group who are responsible for disseminating safeguarding information, identifying staff training needs and providing best practice examples within their service areas.

Governance:

Jill Shingler – Principle Planning Officer

Tel: 01992 564106 Email: jshingler@eppingforestdc.gov.uk

Barbara Copson – Performance Improvement Officer

Tel: 01992 564042 Email: bcopson@eppingforestdc.gov.uk

Neighbourhoods:

Jim Nolan – Assistant Director, Neighbourhoods

Tel: 01992 564083 Email: jnolan@eppingforestdc.gov.uk

Alan Clear - Performance and Quality Manager

Tel: 01992 564301 Email: aclear@eppingforestdc.gov.uk

Communities:

Gill Wallis - Community, Health & Wellbeing Manager

Tel: 01992 564557 Email: gwallis@eppingforestdc.gov.uk

Russell Wallace - Housing Options Manager

Tel: 01992 564024 Email: rwallace@eppingforestdc.gov.uk

Denise Pegler – Housing Manager

Tel: 0208 508 8596 Email: dpegler@eppingforestdc.gov.uk

Resources:

Martin Crowe - Fraud Investigation and Intervention Officer

Tel: 01992 564170 Email: mcrowe@eppingforestdc.gov.uk

Section Three - General guidance for staff

What is a safeguarding concern?

This is when someone has reason to believe that a vulnerable person may have been, is, or might be, abused. It may arise for a number of different reasons. For example:

- · a child or adult may tell staff.
- someone else may tell staff that they suspect a vulnerable person is being abused.
- a vulnerable person may show physical or behavioural signs of abuse, such as bruises.
- the behaviour of an adult may make staff feel uncomfortable in some way.
- staff may observe abusive behaviour between a child and adult or between children.
- as the result of a particular incident.

See the 'Safeguarding' section on the Intranet for definitions and more information about abuse.

A concern can be raised by anyone including the person at risk, family, friends, professionals and members of the public. Any individual can respond to a concern raised about a person at risk. This can include raising a concern to seek support to protect individuals from harm (e.g. by contacting the Police). Immediate action may be required to safeguard the vulnerable person when they request this or when they cannot safeguard themselves.

The SET (Southend, Essex and Thurrock) safeguarding guidelines outline the basic safeguarding procedures which should be followed by all local authorities in Essex. Epping Forest District Council has developed its own simplified procedures in regard to safeguarding issues and concerns based on these and require all staff and Elected Members to follow them.

Anonymous concerns

Paid employees and volunteers: while every effort will be made to protect the identity of workers who are raising concerns, the anonymity of the person raising the concern cannot be guaranteed throughout the process. It is particularly important to remember the following:

- where the Police are pursuing a criminal prosecution, workers may be required to give evidence in court.
- all information from the safeguarding and disciplinary investigations will be shared with the person identified as causing harm where a referral to the Disclosure and Barring Service (DBS) is made.
- there is a possibility that a worker may be asked to give evidence at an employment tribunal.
- the person causing harm may request to see information held about them under the Date Protection Act.

Members of the public: it is preferable to know who is raising a concern. However, a member of the public cannot be made to give their personal details. If the identity of the referrer has been withheld, the investigation will proceed in the usual way. This will include information being recorded as a Safeguarding concern.

What information should staff provide?

Staff raising a concern to the Safeguarding Team need to provide certain details before it can be turned into a referral. This information will be captured on the Safeguarding Report Form but should include, wherever possible:

Details of the vulnerable person:

- whether the person at risk is a child (under 18 years old) or an adult.
- name, address, telephone number, date of birth, or age, ethnic origin and religion (if known).
- gender (including if transgender).
- details of any other members of the household including children, especially if they too are at risk.
- information about the primary care needs of the vulnerable person (e.g. if they have a physical or learning disability, illness, or have substance misuse issues). Also whether they have any communication needs due to sensory or other impairments (including dementia), and any interpreter or communication requirements.
- whether an adult at risk knows about the referral and, if they do, whether they have given consent. If not, on what grounds the decision was made to raise the concern.
- what is known of the adult's mental capacity (if relevant).
- details of how to gain access to the person and who can be contacted if there are difficulties.

Information about the abuse, neglect or harm:

- how and when the concern came to light.
- when and where the alleged abuse occurred and other relevant details.
- what impact this is having on the vulnerable person.
- what the vulnerable person is saying about the abuse and what they want to happen (if known).
- details of any witnesses.
- If there is any potential risk to anyone visiting the vulnerable person to find out what is happening.

Details of the person alleged to have caused the harm (if known):

- · name, age and gender.
- their relationship to the vulnerable person and if they're living with them.
- If they are a member of staff, paid carer or volunteer. If so, details of their role and which organisation they are employed by.
- If there are other people at risk from the person causing the harm.

Any immediate actions that have been taken:

- If emergency services were contacted and if so, which ones.
- · what action was taken.
- the crime number, if a report was made to the Police.
- details of any actions taken to protect the vulnerable person from further harm.
- · who else has been informed.

The Safeguarding Report Form prompts staff for much of this information.

Evidence-gathering and preserving

The Police will always be responsible for the gathering and preservation of evidence to pursue criminal allegations against people causing harm. Staff should contact them immediately if they feel a crime has taken place. However, the first concern must be to ensure the safety and wellbeing of the alleged victim.

Staff can play an important part in ensuring that evidence is not contaminated or lost. Evidence may be present even if staff cannot actually see anything. Staff should:

- try not to disturb the scene, clothing or victim if at all possible.
- try to discourage the vulnerable person from washing, showering or bathing, or from washing their clothes if the allegation or disclosure concerns a possible rape or sexual assault.
- secure the scene (e.g. lock the door if possible).
- ensure nothing is removed from the scene and it is left exactly as it was found.
- contact the Police and ask for advice if in doubt.

The Police are required to obtain oral (spoken) evidence in specific ways as defined by the Police and Criminal Evidence Act (PACE) 1984. For some vulnerable witnesses this means that their evidence has to be obtained in accordance with the Youth Justice Criminal Evidence Act 1999, which is designed to help them to give evidence and provides a number of 'special measures' to enable them to do this.

What information should staff record?

Good record-keeping is an essential part of the accountability of organisations to those who use their services. Maintaining proper records is vital to individuals' care and safety. If records are inaccurate, future decisions may be wrong and harm may be caused to the individual. Where an allegation of abuse is made everyone has a responsibility to keep clear and accurate records. It is fundamental to ensure that evidence is protected and to show what action has been taken and what decisions have been made and why.

A written record of any concern, incident or allegation of a safeguarding issue (especially a crime) must be made as soon as possible after the information is obtained. The record must be factual and reflect as accurately as possible what was said and done by the people initially involved in the incident either as a victim, suspect or potential witness. However, if the record contains an opinion or an assessment, it should be clearly stated as such and be backed up by factual evidence. Information from another person should be clearly attributed to them. If these records are required to complete an internal Safeguarding Report Form (which would then be sent to the Council's Safeguarding Team) staff should take care when transferring information to ensure that accuracy is maintained.

As far as possible an accurate note should be made of:

- the date and time of any incident and/or what was disclosed.
- the parties who were involved.
- what was said and done by whom using the vulnerable person's own words.
- · a description of any visible injuries or bruising.
- the full name of the person reporting and who they've informed e.g. if they told their Line Manager before raising an concern with the Safeguarding Team.
- the views and wishes of the adult at risk, if relevant.
- any actions and decisions taken at this point.
- · exactly what staff saw if they witnessed the incident.
- a record of what any witnesses said including their names and contact details.
- the name and signature of the person making the record.

All safeguarding records must be stored in accordance with EFDC's Data Protection Policy and Procedures. Records and notes must be kept safe as it may be necessary to make them available as evidence and to disclose them to a court.

Who is responsible for making a referral?

Staff are not responsible for deciding whether or not a vulnerable person is being abused or might be abused. They are required to act on concerns by referring to appropriate agencies who will make enquiries and take action. Staff should not carry out any investigation or discuss matters with an alleged perpetrator - this is the task of the Police and Social Care.

Anyone can raise a concern with the Safeguarding Team if they are worried that a vulnerable person is at risk. The Team will then decide if the criteria for safeguarding have been met. However, in the absence of Safeguarding staff (e.g. if it is out of hours) then people with concerns may need to make their own referrals i.e. contact the Police or Social Care directly to discuss their suspicions.

When a concern is sent through to the Safeguarding Team, it begins a process of gathering and clarifying facts, making an assessment of the allegation(s) and of the vulnerable person's needs to decide whether the Safeguarding policy applies. This is not an investigation but the Team may need to contact the person who raised the concern for more information.

Previous contacts and history will be checked for both the vulnerable person and the person alleged to have caused harm, including any information about possible risks to workers visiting.

To proceed with the safeguarding concern the Team must consider all the information and decide whether:

- the individual meets the definition of an adult or child at risk.
- the person has suffered, or is at risk of, significant harm from others.

If it is determined the concern does meet the safeguarding criteria, the person who raised the concern will be asked to complete and submit an internal Safeguarding Report Form via email (if they haven't already done so). Staff who don't have access to email must ask their Line Manager to submit the form on their behalf. The Safeguarding Team will make a formal referral to the appropriate agency e.g. to Social Care (using the ECC999 Form for children/young people and the SET SAF 1 Form for adults with care or support needs), or via a specialist email address for the Police.

If the concern is raised by a member of the public, a member of the family, a friend, a carer, a neighbour or anonymously, a form would not be expected but they could be offered a meeting to discuss their concerns.

All communication with external agencies is sent via the secure GCSX email system wherever possible.

Feedback to the person who raised the concern

At each stage of the safeguarding process it is important to ensure feedback is given to the person who first raised the concern and any partner agencies, where relevant. The person who originally raised the concern is entitled to be given appropriate information regarding the *status* of the concern. The extent of this feedback will depend on various things (e.g. the relationship they have with the victim, confidentiality issues and the risk of compromising an investigation). At the very least it should be possible to advise people whether their concern has led to an investigation.

Staff referrals to an external agency

If staff have to make their own referral to an external agency e.g. if managing an activity outside normal working hours or at the weekend, they should record the details of the referral onto a Safeguarding Report Form. This must be sent to the Safeguarding Team along with a copy of the external referral form and any other accompanying/relevant information.

The Safeguarding Report Form should include the name and role of the external agency staff member to whom the concerns were passed, together with the time and date of the call/referral. Staff should also ensure information contained in any subsequent conversations, decisions or actions relating to the case are sent to the Safeguarding Team for their files or to help them keep track of progress.

The Safeguarding Team will follow up the referral for staff by asking Social Care for an acknowledgement and will keep the person who raised the concern informed of progress, if relevant.

Dealing with immediate needs

Sometimes it is obvious that someone is at risk and staff need to take immediate action. In these circumstances, staff should:

- make an immediate evaluation of the risk and take steps to ensure that the vulnerable person is not in immediate danger. If they are, staff should dial 999 for the Police.
- call for an ambulance if there is a need for emergency medical treatment.
- establish whether there are any other people at risk who need safeguarding. If so, evaluate the risk to them and what action is appropriate.
- make sure they have all the relevant information to hand before calling other agencies in order to give them the full details e.g. telephone numbers, full address if known etc.
- encourage an adult at risk to contact the Police if a crime has been or may have been committed. If it is
 known they do not have capacity, staff should call the Police on their behalf. If the adult at risk is not
 confident enough to call the Police themselves, staff should ask permission to make a third party referral on
 their behalf.
- discuss risk management and any potential forensic considerations with the Police, if relevant, especially if they are offences of a sexual nature.
- not disturb or move articles that could be used in evidence, and secure the scene (e.g. by locking the door to a room).
- arrange for the needs of the person alleged to have caused harm, if they are also a vulnerable person, to be addressed.

Disclosures to staff

Children, young people and adults with care or support needs who are being abused will only tell people whom they trust and with whom they feel safe. By telling someone, they are demonstrating that they want the abuse to stop and so

by listening and taking seriously what they say, staff will be helping them. This is something staff should be prepared for and must handle carefully.

Staff should:

- ensure it's safe for the victim to talk about their issues e.g. establish that they don't have anyone listening in to the phone call. This is especially relevant in Honour Based and Domestic Abuse cases.
- speak to them in a private and safe place. It is essential to ensure that the alleged perpetrator is not present.
- react calmly so as not to frighten the vulnerable person, especially if they are a child.
- listen carefully to what is said and not cross-question.
- ensure that the person is not in immediate danger and if they are seek Police or medical help.
- assure the person the matter will be taken seriously.
- reassure the victim that they have done nothing wrong in telling them and are not to blame.
- allow the vulnerable person to continue at their own pace.
- keep questions to the absolute minimum necessary to ensure a clear and accurate understanding.
- use open questions such as 'tell me' and ensure questions are 'age appropriate.'
- ask questions for clarification only and avoid asking questions that suggest a particular answer.
- tell them what they will do next. If appropriate, staff should get views from the vulnerable adult on what has happened and what they want done about it.

- explain that information will need to be shared but only with people who need to know and who can help and that they cannot keep the information confidential.
- discuss what could be done to ensure their safety.

Staff should NOT:

- dismiss the concern, panic and/or allow their shock or distaste to show.
- probe for more information than is offered.
- make promises they cannot keep eg. such as agreeing not to tell parents.
- speculate, make assumptions, be judgemental or jump to conclusions.
- approach, or contact the alleged abuser unless the immediate welfare of the vulnerable person makes this
 unavoidable.
- make negative comments about the accused person.
- pass on the information to anyone other than those with a legitimate 'need to know' such as their Line Manager and/or the Safeguarding Team.
- delegate to others the task of talking to the victim.
- take notes at the time of talking to the victim where possible as it can be intimidating.
- put the alleged victim in potential danger through their actions eg. by sending a letter to an alleged victim of Honour Based or Domestic Abuse to their home address in case it is opened by their partner or family member, putting them in danger.

After the victim has disclosed, staff should record the details onto a Safeguarding Report Form, using the victim's own words, as soon as possible and send it to the Safeguarding Team.

Working in a school environment

Any concern should be reported immediately to the school's safeguarding lead officer or the most senior member of staff available. The procedure for educational establishments will then apply. However, staff should also complete an EFDC Safeguarding Report Form and send it to the Safeguarding Team to ensure it is logged on the system. If staff believe that the school's response to their concern is inadequate or inappropriate then they should inform their Line Manager and/or the Council's Safeguarding Team in the normal way.

Allegations against staff

All Council staff should be aware that colleagues may carry out abuse and that all allegations are taken seriously so that appropriate action can be taken. In the event of a serious allegation against a member of staff regarding children or young people, the Council will follow the Southend, Essex and Thurrock (SET) procedures and will involve the Local Authority Designated Officer (LADO) employed by Essex County Council. The Council will use similar procedures in order to protect adults with care or support needs.

Obviously this will be difficult for staff but it is important that any concerns for the welfare of the child or vulnerable adult should be reported immediately. The Council will fully support and protect any staff member who, in good faith, reports their concern that a colleague is, or may be, abusing a child or vulnerable adult.

If staff feel a colleague has:

- (a) behaved in a way that has harmed a vulnerable person, or may have harmed a vulnerable person; or
- (b) possibly committed a criminal offence against, or related to, a vulnerable person; or
- (c) behaved towards a vulnerable person in a way that indicates they are unsuitable to work with them

then they *must* inform their line manager immediately and follow the relevant procedure (see page 17).

When receiving an allegation staff should:

- treat it seriously and keep an open mind.
- not investigate.
- not make assumptions or offer alternative explanations.
- not promise confidentiality.
- record the details using the vulnerable person's own words.
- note time/date/place of incident(s), persons present and what was said.
- · sign and date the written record.
- not tell the member of staff/volunteer if this might place the child at risk of significant harm or jeopardise any future investigation.

The Named Senior Officer is responsible for:

- contacting and/or making a referral to Essex Social Care or Local Authority Designated Officer (LADO) as appropriate.
- acting as a source of support, advice and expertise within the Council and to the LADO.
- liaising with senior management to inform them of any issues and details of ongoing investigations and ensure there is always cover for this role.

The Local Authority Designated Officer's role is to:

- act as the initial point of contact for organisations when an allegation, complaint or concern arises about an adult working with children.
- be involved in the management and oversight of individual cases.
- provide advice and guidance to employers and voluntary organisations.
- liaise with the Police and other agencies.
- monitor the progress of cases so they are dealt with as quickly as possible ensuring a thorough and fair process.
- report to the Essex Safeguarding Children Board at regular intervals on the management of allegations.

Housing Services safeguarding procedures

In addition to the safeguarding procedures, the Council's Housing Service may need to make a referral to Essex Social Care in relation to Homeless 16-17 year olds and intentionally homeless households with children. This contact is made for an assessment of whether they are a child in need to whom a duty is owed by Essex Social Care under terms of the Children Act 1989.

Closure process

The Safeguarding Team will 'close' a case once their role has been fulfilled. Closure will take place when:

- the level of harm has been assessed as low and the vulnerable person is not deemed to be at risk.
- there is not enough information to substantiate an allegation of abuse. Staff may forward what information they may have to the appropriate agencies with a disclaimer to this effect.
- the adult at risk has the capacity to decide that they want no further intervention and there are no other adults or children at risk.
- the Safeguarding Team have passed on all relevant information to the investigating authorities and there is no need for any continuing contact with those agencies.

In all situations the responsible Safeguarding staff member must ensure that:

- any actions to be taken are recorded along with the reasons for any decisions made either making a referral or taking no further action.
- the person who raised the original concern is notified of the decision in a timely way. They will be told the reasons for any decision, and, if appropriate, given information about any alternative services which can be (or have been) offered, if this does not breach confidentiality. Whether to disclose information or not will be agreed beforehand with the Community Safety Manager (or the Safeguarding Lead in their absence).

When safeguarding procedures may not be used

It may be decided not to use the safeguarding procedures when there is enough information to establish that:

- no harm has been caused.
- it is a one-off incident with a low level of risk and/or no abuse and other intervention is more appropriate.
- if a vulnerable adult has the capacity to make a choice about their own safety, there are no public or vital interest considerations and they choose to live in a situation in which there is risk or potential risk. They can then be directed to other services or resources and/or reassured that they can come back in the future.

It is essential that the reasons for not invoking safeguarding procedures are fully recorded.

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Section Four - The Safeguarding Procedures

Reporting Safeguarding Concerns - Flowchart

PROCEDURE A – Immediate Risk

Staff believe a child, young person or adult is at immediate risk of significant harm

Call the Police (999) Inform Line Manager and send a Safeguarding Report Form to the Safeguarding Team (within 1 working day of the incident)

PROCEDURE B - No Immediate Risk

Staff have a safeguarding concern about a child, young person or adult who they believe to be at risk of harm or that a crime has taken place

Staff need to discuss this with someone

Telephone the Safeguarding Team:

Lynn Maidment - Safeguarding Officer x 2706 Claire Baccarini - Safeguarding Administrator x 4223 Caroline Wiggins - Community Safety Manager x 4122

Or one of the Safeguarding Lead Deputies:

Russell Wallace - Housing Options Manager x 4024 Gill Wallis - Community, Health & Wellbeing Manager x 4557 Martin Crowe - Fraud Investigation & Intervention Officer x 4170 Sheila Nairne – Tenant Liaison Officer x 5521

Staff know a referral needs to be made

Email a Safeguarding Report Form to:

safeguarding@eppingforestdc.gov.uk

(within 1 working day of any situation or notification which raised the concern)

The Team may ask staff for more details in order to complete an external referral form. They will tell staff about any action to be taken and if staff need any further input.

PROCEDURE C – Allegations against Staff

Staff have a concern, or have received an allegation, about a colleague's behaviour. (Staff must NOT speak to the colleague) Discuss with, or send a Safeguarding Report Form to:

Paula Maginnis, Assistant Director -Human Resources (x 4536) or Denise Tur, Senior HR Officer (x 4252) in her absence Details will be taken and advice given about what will happen next

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Procedure A: Immediate Risk

For incidents where staff believe that a child, young person or adult with care or support needs is in **immediate** danger of physical or psychological harm and that the situation calls for **immediate action or** intervention.

Staff may have witnessed the incident themselves, had a vulnerable person disclosure directly to them or they are given information from a third party.

In these situations, staff should:

1. **CALL 999** and report what they've seen or heard to the relevant emergency service.

If staff are able, they should ensure that they have all relevant details to hand before contacting the emergency services eg. any relevant addresses, telephone numbers etc.

2. Record all details immediately in order to give as much information as possible to the emergency services and/or investigating agency.

These details will also form the basis of the Safeguarding Report Form which will have to be completed after the incident.

- 3. Stay until the Police and/or the ambulance crew arrive if they've witnessed an incident themselves.
- 4. Ask any other witnesses if they can stay and provide support to the victim if possible but only if it's safe to do so without compromising the situation.
- 5. Talk to the victim and record whatever is said in writing as soon as possible but only if the perpetrator is not at the scene.
- 6. Inform their Line Manager as soon as possible after the situation has been resolved and submit the Safeguarding Report Form to the Safeguarding Team **within one working day** of the incident occurring.

Staff should be as accurate as possible when recording information as it could be used in court.

Procedure B: No Immediate Risk

For incidents where staff have concerns about a vulnerable person or a third party has told a member of staff about their concerns. Also if a child, young person or adult has disclosed something which may be considered a safeguarding concern, or staff believe may involve a crime, directly to the member of staff themselves.

These concerns are of a **serious nature** which staff believe **could lead to harm** but where the victim is **not in any immediate danger** of harm and **immediate action is not required**.

Staff should:

- 1. Record what is said as accurately as possible.
- 2. Reassure the vulnerable person and explain that information will be passed on that staff are unable to keep the information a secret and that they will be seeking help for them.
- 3. Report it to the Safeguarding Team via the Safeguarding Report Form within **one working day** of the concern being raised/established.

If staff are unsure whether their concern is a safeguarding issue, they should ring the Safeguarding Team (see flowchart on page 15) or a Safeguarding Lead Deputy to discuss.

Procedure C: Allegations against staff

This procedure also covers allegations made against anyone acting on behalf of EFDC including volunteers or Elected Members.

Staff should:

- 1. Try to get a witness to their conversation with the person reporting the allegation if it is made in person.
- 2. Take accurate notes of the allegation and not ask leading questions. Staff should transfer this information in as much detail as possible to a Safeguarding Report Form as soon as they can.
- 3. Immediately contact the **Named Senior Officer** or Deputy Senior Officer:
 - Assistant Director Human Resources: Paula Maginnis on ext 4536; if she is unavailable, contact:
 - Senior HR Officer, Denise Tur on ext 4252. If neither is available contact:
 - Safequarding Lead Officer, Julie Chandler on ext 4214; or in her absence:
 - Safeguarding Lead Professional, Alan Hall on ext 4004.
- 4. If the allegation is made in writing, follow the above procedure from no. 3.

It will be up to the Named Senior Officer (or the Deputy/Safeguarding Lead in her absence) to determine whether the Safeguarding Report Form is forwarded to the Safeguarding Team.

Suspension of the staff member is not automatic and is considered a neutral act. Where suspension is not appropriate, consideration will be given to putting safeguards in place to protect the vulnerable person.

Completing Safeguarding Report Forms

The EFDC Safeguarding Report Form is to be used for concerns regarding children, young people and adults with care or support needs. As a result, not all fields will be relevant, but all relevant fields must be completed.

The officer completing the form has 'ownership' for its content and is responsible for its delivery to the Safeguarding Team within the timescales given. The EFDC Form is available on the intranet under the 'Safeguarding' section and should be downloaded each time it is needed. Staff should not download and keep a copy of the form for future use in case changes are made. Forms must be completed electronically and emailed to the address given. Any employee not having access to the intranet must contact their line manager to complete the form on their behalf. On receipt of the form a member of the Safeguarding Team will start the assessment process.

As the Safeguarding Team may need to cut and paste information from the Safeguarding Report Form onto external forms, it should be completed as accurately and carefully as possible. Staff should also reduce the amount of additional documents that are attached e.g. amalgamate and/or edit information rather than sending lots of emails to provide background information. The Safequarding Report Form will also act as an accurate record for staff to keep in their own confidential files. Staff must remember that their reports may be used as evidence in court of law or at a case review or inspection.

Making direct referrals

If staff need to make their own referrals to Social Care, they should access the relevant forms via the relevant websites each time to ensure they use the correct and most up to date form. A copy of any form sent externally should also be sent to the safeguarding@eppingforestdc.gov.uk email address for the Safeguarding Team's reference.

External safeguarding forms for Essex can be found on the following websites:

- Adults with care or support needs (SET SAF 1 Form): www.essexsab.org.uk
- Children (ECC999 Form): http://www.escb.co.uk/Professionals/ReportingConcerns.aspx

See 'Reporting Concerns' in Section Five for Societ Care contact details in adjoining counties.

EFDC Safeguarding Children, Young People and Adults Procedures - January 2015

Section Five – Useful contacts and websites

Black & Minority Ethnic (BME) Groups

Asylum Aid 0207 354 9264 www.asylumaid.org.uk

Provides free legal representation and advice to asylum seekers and refugees. It aims to enable women fleeing serious human rights violations gain protection in the UK.

Chinese Information and Advice Centre 08453 131 868 www.ciac.co.uk

Confidential support for Chinese women who are victims of domestic abuse on a range of issues. The specially trained bilingual female volunteers speak English, Mandarin and Cantonese.

Jewish Women's Aid 0808 801 0500 www.jwa.org.uk

Run by and for Jewish women (and children) offering support and information for victims of domestic abuse.

Newham Asian Women's Project 020 8472 0528 www.nawp.org

The group offers support and advice for Asian women and children experiencing domestic abuse. Although they are based in London they can offer help over the phone.

Southall Black Sisters 020 8571 0800 www.southallblacksisters.org.uk

Provides information, advice, advocacy, practical help, counselling and support to Asian and African-Caribbean women and children experiencing domestic and sexual abuse (including marriage and honour crimes).

Children and Young People

0870 000 3344 Child Exploitation and Online Protection (CEOP) Centre http://ceop.police.uk

Pursue those who sexually exploit and abuse children, prevent child sexual exploitation and reduce the impact of child sexual exploitation and abuse through safeguarding and child protection work.

020 7639 6967

Childline 0800 1111 www.childline.org

A 24 free confidential helpline for children and young people.

Childnet International

Studio 14, Brockley Cross Business Centre

www.childnet.com 96 Endwell Road, London SE4 2PD

Email: info@childnet.com Childnet works in partnership with others around the world to help make the internet a safe place for children.

Child Protection in Sport Unit 0116 234 7278 Email: cpsu@nspcc.org.uk www.nspcc.org.uk/Inform/cpsu/cpsu wda57648.html

A partnership between the NSPCC and Sport England, CPSU/NSPCC provide advice and assistance on developing codes of practice and child protection procedures to sporting organisations.

Get Connected 0808 808 4994 www.getconnected.org.uk/charity

For older children and young adults (16-25 years old), Get Connected offers free, confidential advice.

0808 800 5000 **NSPCC** www.nspcc.org.uk

A 24-hour free confidential helpline for someone worried about a child.

Counselling, Support and Advice

ADAS 01279 438716 / 641347 www.adasuk.org

118-124 The Stow, Harlow CM20 3AS Email: admin@adasuk.org

Supports individuals and families affected by alcohol and drug misuse.

ASKSAL Helpline 08452 66 66 63 www.asksal.org.uk

A partnership project between the Southend, Essex and Thurrock Safeguarding Adults Boards and Essex County Council. Individuals can use this helpline to report if they see, hear or suspect that a vulnerable adult is being abused. SAL stands for Safeguarding Adults Line.

Citizens Advice Bureau

St Mary's Parish Centre, High Road,

Tel: 0844 2571909

www.efcab.org.uk National: www.citizensadvice.org.uk

Loughton, Essex IG10 1BB

Citizens Advice Bureau offer advice and information about all subjects including issues such as housing, family law, child support agency and benefits. All the services are free, confidential and independent.

POLICE Emergency Tel: 999 Non-emergency Tel: 101 Email: cru-ppsova@essex.pnn.Police.uk (adults).

Relate Helpline: 0300 100 1234 www.relate.org.uk

Offers advice, relationship counselling, sex therapy, workshops, mediation, consultations and support face-toface, by phone and through their website.

Rights of Women 0207 251 6577 www.rightsofwomen.org.uk

Voluntary organisation committed to informing, educating and empowering women about their legal rights.

08457 90 90 90 **Samaritans** www.samaritans.org.uk

Samaritans provides confidential emotional support, 24 hours a day for people who are experiencing feelings of distress or despair, including those that may lead to suicide.

Victim Support 0845 30 30 900 www.victimsupport.org.uk

Offers free confidential support to anyone, whether or not the crime has been reported to the Police.

West Essex Clinical Commissioning Group

Building 4, Spencer Close, St. Margaret's Hospital, The Plain, Epping CM16 6TN

01992 566140

www.westessexccg.nhs.uk Email: weccg.comms@nhs.net

The West Essex CCG buys health services on behalf of people living in Epping Forest, Harlow and Uttlesford.

West Essex Mind The Wellbeing Centre, 10-11 Corner

House, Bush Fair, Harlow CM18 6NZ

01279 421 308 or 01371 876641 www.westessexmind.org.uk Email: talking@westessexmind.org.uk

A local registered charity working to support people affected by mental ill health, and the people around them.

Domestic Abuse

Action on Elder Abuse Helpline: 0808 808 8141 (Freephone) www.elderabuse.org.uk E-mail: enquiries@elderabuse.org.uk

Charity giving help and information about the abuse of older people, including by family members and partners.

POLICE

Emergency Tel: 999 Non-emergency Tel: 101 (ask for the Central Referral Unit)

Domestic Abuse Central Referral Unit

Open: 8am – 10pm, seven days a week Essex Police Headquarters, Chelmsford Freephone: 0800 358 0351

www.essex.police.uk/be safe/domestic abuse.aspx Email: cru-ppenquiries@essex.pnn.Police.uk

MALE - Men's Advice Line/Enquiries 0808 801 0327 www.mensadviceline.org.uk

Confidential helpline for all men (in heterosexual or same sex relationships) experiencing domestic violence by a current or ex-partner. Offers emotional support, practical advice and information on a wide range of services.

National Centre for Domestic Violence 0844 8044 999 Option 1 (emergency helpline) Freephone: 0800 970 2070 www.ncdv.org.uk

Specialises in providing free legal support to survivors of domestic violence, usually by helping individuals obtain injunctions from their local court.

National Stalking Helpline 0808 802 0300 www.stalkinghelpline.org Email: advice@stalkinghelpline.org Guidance and information to anyone who is or has been affected by harassment or stalking.

National Women's Aid 24hr free helpline 0808 2000 247 www.womensaid.org.uk or www.womensaid.org.uk/virtualrefuge/

Emergency accommodation, advice and help for women suffering domestic abuse, and their children.

New Paths 07938 611046 www.newpaths.org.uk

New Paths is focused on male victims of domestic abuse. The organisation has a drop-in centre and a team of life coaches, therapists and advisors.

Refuge 24 hr national helpline: 0808 2000 24

Refuge is a charity that offers help and advice to women and young girls who are in abusive relationships.

Safer Places

A charity supporting female and male adult

A charity supporting female and male adults and children affected by domestic abuse.

0845 0177 668 (24 hours) www.saferplaces.co.uk Email info@saferplaces.co.uk.

Domestic Abuse - Children and Young People

www.thehideout.org.uk

A website specifically designed for children and young people who are experiencing domestic abuse.

thisisabuse.direct.gov.uk

A website with information about teenage relationship abuse

Domestic Abuse - Lesbian, Gay, Bisexual, Transgender (LGBT)

Broken Rainbow	0300 999 5428 www.broken-rainbow.org.uk	
Colchester Gay Switchboard	0845 123 23 88 www.theouthouse.org.uk	
Essex Gay Men	01245 250256 www.essexgaymen.org.uk	

Honour Based Abuse including Female Genital Mutilation and Forced Marriage

POLICE Emergency Tel: 999

Non-emergency Tel: 101

Ring 101, ask for the **Central Referral Unit** and explain you've been approached by a person at risk who declared they are a victim of Honour Based Abuse and need a trained Police Officer to attend urgently.

Foreign and Commonwealth Office Tel: 020 7008 1500 (from overseas: +44 20 7008 1500)

Can provide help if the person has already been taken abroad to participate in a forced marriage.

NSPCC 0808 800 5000 www.nspcc.org.uk

FGM helpline 0800 028 3550 or email: fgmhelp@nspcc.org.uk

Has an FGM helpline that is in operation 24 hours a day, staffed by specifically trained child protection counsellors who offer advice, information and assistance to members of the public and professionals.

Forced Marriage Unit 020 7008 0151 fmu@fco.gov.uk

Monday to Friday, 9am to 5pm Overseas: **+44 20 7008 0151 Out of hours: 020 7008 1500**

www.gov.uk/stop-forced-marriage

Helping prevent forced marriage and helping those needing to leave a forced marriage.

Karma Nivarna 0800 5999 247 www.karmaniryana.org.uk

Sexual Violence

Centre for Action on Rape and Abuse	01206 769795	www.caraessex.org.uk	I
(CARA)			İ

Rape & Sexual Abuse Support Centre 0808 802 9999 www.rapecrisis.org.uk

A range of services for women and girls who have been raped or experienced another form of sexual abuse.

Survivors UK 0845 122 1201 www.survivorsuk.org
Help for men who have been sexually abused or raped.

Useful Organisations and Services

Disclosure and Barring Service	0870 9090 811 (checks)
_	01325 953795 (referrals/barring)
	www.homeoffice.gov.uk/agencies-public-bodies/dbs/
Merged functions previously carried out by the	e Criminal Records Bureau (CRB) and Independent Safeguarding
Authority (ISA).	

	Essex Safeguarding Children Board	01245 435167	
	Room C228, County Hall, Chelmsford, Essex	www.escb.co.uk	
	CM1 1QH	Email: escb@essex.gov.uk	
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Multi-agency organisation which brings together agencies who work to safeguard and promote the welfare of children.

Essex Safeguarding Adults Board	03330131019
ESAB Support Team, CG04-7, C Block, County	www.essexsab.org.uk
Hall, Chelmsford, Essex, CM1 1QH	Email: ESAB@essex.gov.uk
An inter-agency forum for agreeing how the different services and professional groups should cooperate to	
safeguard adults with care or support needs across Essex.	

Modern Slavery (Human Trafficking)	Helpline: 0800 0121 700 www.modernslavery.co.uk
Public Concern at Work	020 7404 6609 www.pcaw.co.uk
Provides free confidential advice on how to ra	aise a concern about malpractice at work

Reporting Safeguarding Concerns (out of hours)

Essex

Essex County Council

Advises the public on what to do if they are a child or adult suffering from abuse or a third party who has a concern. If members of the public want to make their own safeguarding referral to Social Care staff should provide them with the following numbers.

Children	Adults
0845 603 7627 (Early Help & Advice Hub)	0845 603 7630
Out of hours Emergency Duty Team: 0845 606 1212	Out of hours Emergency Duty Team: 0845 606 1212

Local Authority Designated Officer (LADO) Duty Line: 03333 139 797 Email: childrens.safeguarding@essex.gov.uk Contact in the event of an allegation of child abuse against staff, volunteer or elected member. The duty line is for allegations made against those who work with children, NOT an enquiry line for children's safeguarding.

POLICE - Adults	Emergency Tel: 999;	Non-emergency Tel: 101
Open: 8am – 10pm, seven days a week	CRU: Tel: 101 - ask for the	Central Referral Unit.
Email: cru-ppsova@essex.pnn.Police.uk	vulnerable adult victims and	not perpetrators of domestic abuse).

Other

Redbridge Social Care	Adults : 020 8708 7333 (Mon - Fri, 9am to 5pm) or 020 8554 5000 (Mon to Fri from 8.30 am to 6pm)
	Children : 020 8708 3885 from 9 am to 5 pm or 020 8553 5825 after 5 pm.

Hertfordshire Social Care	Adults : 0300 123 4042 (24 hours a day).	344444444
	Children: 0300 123 4043 (including out of hours)	

