

Report to the Cabinet

Report reference: C-081-2013/14

Date of meeting: 3 March 2014



**Epping Forest
District Council**

Portfolio: Safer, Greener & Transport

Subject: Epping Forest District Council Combined Child & Adult Safeguarding Policy.

Responsible Officer: Julie Chandler (01992 564214).

Democratic Services: Gary Woodhall (01992 564470).

Recommendations/Decisions Required:

- (1) That the Cabinet agrees to adopt the Council's new Combined Safeguarding Policy which covers all aspects of Safeguarding for children, young people and vulnerable adults; and**
- (2) That the Cabinet recommends that all Elected Members undertake appropriate training on the requirements of the Policy, so that they are able to play a proactive role in safeguarding, within the Epping Forest District.**

Executive Summary:

The Council has a Duty of Care under Section 11 of the Children Act 2004 with respect to safeguarding and promoting the welfare of children and young people who live and receive services within the District and those young people originating from the District who are 'looked after'. In addition, although there is currently no legislative requirement for the safeguarding of vulnerable adults, the Council works in accordance with the protocols set out by Essex Safeguarding Adults Board, to help ensure that vulnerable adults who live in the district, or receive local services, are safe from harm and are not subjected to exploitation or abuse.

During the last year, Central Government has moved towards a more 'joined- up' approach towards safeguarding through Ofsted audit inspections. In line with this, Essex Safeguarding Children's and Adults Boards are now working more closely together and have introduced combined safeguarding assessments and training for statutory partners in Essex. In response to this, the Council has developed a new, combined safeguarding policy.

The new policy now makes reference to a range of new and emerging safeguarding issues that are becoming a high priority across the County. These include Child Sexual Exploitation, 'Honour' Based Abuse and Stalking and Harassment amongst others. It also sets out the Councils required procedures in respect of 'Concerns, Incidents and Allegations' and provides a comprehensive guide to the responsibilities of staff and Elected Members.

Cabinet is therefore asked to adopt the new policy for the Council to meet its responsibilities effectively and to proactively promote its use by Elected Members.

Reasons for Proposed Decision:

The Council's safeguarding policy has been comprehensively reviewed in order to comply with the new, combined approach to safeguarding children, young people and vulnerable adults, which is being driven by Essex Safeguarding Children's and Adult's Boards. This new document clearly sets out individual and Council-wide responsibilities from the Senior Management Leadership team, staff who work face to face with the public and Elected Members.

Other Options for Action:

To not adopt the revised safeguarding Policy, but this would place children, young people and vulnerable adults at increased risk, and expose the Council to challenge and potential litigation under Section 11 of the Children Act 2004.

Report:

Background

1. As a key provider of public services the Council has a responsibility to safeguard and promote the welfare of children, and young people. This is a legislative requirement under Section 11 of the Children Act 2004 and includes children and young people who have originated from the District but may be living in foster or social care within or outside of the District. This responsibility extends under Section 47 of the Children's Act, in respect of the Council's duty to cooperate with Essex County Council in discharging its safeguarding duties as a Children's Services Authority.

2. With responsibility for Sheltered Housing Schemes, Homeless accommodation, Community Safety and a range of other services, the Council also has a responsibility for the safeguarding and well-being of Vulnerable Adults and works with Essex Police and Essex County Council Social Care team in its role as the lead agency for the protection of vulnerable people.

3. These responsibilities and duties have been separate for children, young people and vulnerable adults up until early 2013 when Essex Safeguarding Children and Adults Boards merged, in a move to safeguard vulnerable people throughout their lifetime. This has resulted in an amalgamation of several county safeguarding groups and local policies and procedures.

4. Local Councils are now measured on their ability to fulfil their duties and responsibilities for safeguarding, by completing annual self-assessments based around eight distinct themes as below:

- Senior management and leadership commitment to safeguarding;
- Lines of accountability;
- Embedding policy;
- Early help and interagency working;
- Information sharing;
- Learning and improvement;
- Service development and emerging issues; and
- Safe recruitment, vetting and allegations management.

5. In order for the Council to effectively meet its responsibilities in regard to safeguarding, all staff and Elected Members need to be aware of their role in the protection of children, young people and vulnerable adults from harm. Therefore, the Council has completely reviewed its Safeguarding Policy and this now provides a 'step by step' guide to

recording and reporting any 'concerns, incidents or allegations'.

6. It also includes reference to a range of new and emerging safeguarding issues that are becoming a high priority across the County, and these include Child Sexual Exploitation, 'Honour' Based Abuse and Stalking and Harassment amongst others.

7. However, it should be noted, that the Policy is a 'live' document and will continually be updated in line with any changes to legislation or new priorities.. (N.B. since the policy was completed in December, a new priority has emerged in Essex around Human Trafficking and this will need to be added to the document. Epping Forest District was highlighted within a recent presentation by Essex Police, due to its proximity to London and its location between there and Stansted Airport).

8. The new policy clearly sets out the responsibility and roles of Council staff across the whole safeguarding agenda and highlights the safeguarding Lead Officers within the authority, who are able to offer support and advice to staff and Elected Members. It also identifies the requirements of all Members, which include undertaking safeguarding training and keeping abreast of new and emerging priorities. It should be noted that the Safer, Greener and Transport Portfolio Holder is the Lead Member for safeguarding and in this role he attends and contributes to the Corporate Safeguarding Working Group. As such the Portfolio Holder is fully aware of current priorities and issues. Councillor Waller also acts as Member Champion and is available to offer advice in respect of initial safeguarding concerns.

9. This report therefore seeks Cabinet's formal adoption of the Council's new Safeguarding Policy and Procedures (attached at Appendix 1) and a commitment to encourage greater understanding and awareness across the member arena.

Resource Implications:

There are no financial implications in respect of this report and recommendations. However, the report does seek Elected Member commitment to safeguarding best practice.

Legal and Governance Implications:

The Council is required to fulfil it's duties to safeguard and promote the well being of children and young people under Section 11 and 47 of the Children Act 2004. The Essex Safeguarding Adults Board, although not under statutory obligation, also assesses statutory partners on the strength of their Adult Safeguarding arrangements.

Safer, Cleaner and Greener Implications:

The District Council is responsible for ensuring that all children, young people and vulnerable adults are protected from harm and exploitation.

Consultation Undertaken:

The Council has been in consultation with Essex County Council and district, city and borough authorities across Essex in respect of safeguarding children, young people and vulnerable adults.

Background Papers:

- Children Act 1989 and 2004
- The role of District Councils in safeguarding children and young people – *Local*

Government

- *Improvement and Development*
- *The role of District Councils in Safeguarding Adults – Local Government Improvement and Development*
- *Changes to Disclosure and Barring: What you need to know – HM Government*
- *Working Together to Safeguard Children – Department of Education*
- *Equality Analysis - Safeguarding Statutory Guidance - Department for Education*
- *Safeguarding in the Workplace – Independent Safeguarding Authority*

Impact Assessments:

Risk Management

Under the Children Act 2004, the Council has a duty to protect children and young people living or originating from the Epping Forest District, from harm and exploitation. It also has a duty Under Section 47 of the Children's Act to work with Essex County Council in regard to any investigations into the welfare or harm of a child. If the Council does not fulfil these duties and responsibilities, it is at risk of failing a child, or young person and receiving very negative publicity and/or sanction. The Council is also responsible for protecting vulnerable adults from harm and exploitation.