

“A safe, prosperous, sustainable place where everyone has the opportunity to be the best they can be.”

Corporate Policy and Guidelines for Safeguarding of Children, Young People and Vulnerable Adults.

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PURPOSE

The purpose of this document is to set out the Council's Policy and Guidelines for the safeguarding of children, young people and vulnerable adults.

The Safeguarding Policy and Guidelines:

- Explains how the Council undertakes its legal commitments for safeguarding of children, young people and vulnerable adults;
- Provides assurance to members of the public, service users, elected members, employees and people working on behalf of the Council that there are clear arrangements in place to safeguard and protect children, young people and vulnerable adults
- Provides Council staff and elected members with clear guidelines for when a child, young person or vulnerable adult may be at risk of harm.

SCOPE

This policy relates to all children, young people and vulnerable adults over the age of 18 regardless of gender, ethnicity, disability, sexual orientation, religion or cultural background.

The policy applies to all volunteers engaged in Council business, temporary, agency, contracted and permanent members of staff of the Council and all Council Elected Members and sets out clear guidelines for safeguarding and promoting the welfare of children, young people and vulnerable adults. These guidelines are also intended to protect our employees and other adults in a position of responsibility from potential allegations of abuse.

1. INTRODUCTION

- 1.1 There is a duty on the Council to make appropriate arrangements to safeguard and promote the welfare of children, young people and vulnerable adults and the Council believes that every child, young person and adult has a right to be safe from harm.
- 1.2 “Safeguarding” is **everybody’s responsibility**. While Social Care is the Lead Service for dealing with enquiries regarding allegations / concerns that children, young people and vulnerable adults may be suffering significant harm, it remains the responsibility of all service areas to implement, demonstrate and monitor a robust safeguarding approach throughout the organisation

2. KEY PRINCIPLES

- 2.1 The Council is committed to improve the quality of life for people in Torfaen and to ensure there are effective working practices which protect children, young people and vulnerable adults from harm. This is reflected in the following key principles which underpin this safeguarding policy:
- safeguarding is our key priority and the welfare of children and adults will be feature centrally in embedded in our policies and procedures;
 - Every child, young person and adult has a right to participate in a safe society without any violence, fear, abuse, bullying and discrimination;
 - Every child and adult has the right to be protected from harm, exploitation and abuse;
 - We will work closely in partnership with children, their parents, carers and adults and other agencies to safeguard and promote the welfare of children and vulnerable adults;
 - We will strive to respect the rights, wishes, feelings and privacy of children and adults by listening to them and seeking to minimise any risks that may affect them;
 - We will invest in preventative work and early intervention actions to try to avoid situations where abuse or allegations of abuse or harm may occur.

Refer to appendix 1 for Local Authority Duties, Definitions and Related Legislation, Policy and Guidance

3. ROLES AND RESPONSIBILITIES

- 3.1 The welfare of children, young people and vulnerable adults is a corporate responsibility of the entire local authority. Every Elected Member, every volunteer every member of staff and every contracted service provider has a responsibility to adhere to the appropriate procedures in this policy if a warning is given or if concern is expressed that abuse is taking place.
- 3.2 By following the correct procedures, we can be assured in the majority of situations that the appropriate steps are implemented to deal with any allegation or doubt;
- 3.3 Therefore, every Elected Member, member of staff, volunteer, contractor and service provider has a responsibility for safeguarding whilst engaged in Council business.

4. FUNCTIONS OF KEY OFFICERS

- 4.1 The Chief Executive Officer has the overall responsibility for ensuring that there are effective safeguarding arrangements for children, young people and adults and that these are in place. This will include suitable policies, practices and procedures and that they are implemented appropriately. The Chief Executive Officer is also responsible for ensuring effective corporate governance arrangements and that all statutory requirements are being met. See appendix 1 for Local Authority Duties.
- 4.2 **The Statutory Director (Social Care):**

The Social Care Statutory Director has the final and indivisible responsibility for safeguarding issues. The Statutory Director is responsible for ensuring that the Council has appropriate safeguarding measures to protect children, young people and vulnerable adults and is responsible for reporting at a corporate level to Elected Members on the effectiveness of safeguarding arrangements.

4.2.1 The Statutory Director is responsible for the following:

- Overseeing the process of implementing, monitoring and improving the safeguarding and protection procedures for children, young people and vulnerable adults;
- Ensuring that there are robust reporting arrangements and processes for safeguarding children and vulnerable adults and to report at corporate level and to Elected Members;
- Ensuring that there are effective links to the South East Wales Safeguarding Children's Board (SEWSCB) and to the Gwent Wide Adults Safeguarding Board (GWASB)

- Ensuring that lessons are learned as a result of Serious Case Reviews, Child Practice Reviews, Adult Serious Case Reviews (Likely to be superseded by Adult Practice Reviews) and Domestic Homicide Reviews and that they are applied as necessary by every agency, acknowledging that the effectiveness of arrangements are dependent on the quality of the contribution of every agency;
- Raising the profile of safeguarding, supporting this policy and ensuring that the Council complies fully with the Policy and Guidelines for Safeguarding children, young people and vulnerable adults;
- Promoting public awareness of issues relating to safeguarding children, young people and adults
- The effectiveness of safeguarding arrangements is reported in the Director of Social Care & Housings Annual Report to Council.

4.3 Designated Officers within Every Service

Every Service within the Council has nominated a “Designated Officer” for safeguarding.

The Designated Officers are responsible for:

- They are first point of contact within the department for safeguarding concerns. In their absence another officer should be contacted
- Acting as a key source of advice and support for other staff in the Service on all safeguarding issues;
- Being familiar with The Council’s Policy and Guidelines for Safeguarding children, young people and vulnerable adults along with the safeguarding procedures of the All Wales Child Protection Guidelines;
- Ensuring that there are effective internal guidelines, policies and procedures to deal with concerns within the Service by working closely with Social Care.
- Ensuring that the process of complying with this Policy and Guidelines is monitored by reporting regularly to the Service Management Team;
- Attending relevant training.
- Ensuring all staff within their Service have received the relevant information and / or training;
- Representing their Service on the Council’s Corporate Safeguarding Leads Group

- 4.4. Any member of staff with concerns regarding the behaviour of a colleague towards children or an adult should contact the Designated Officer within the Service immediately or if appropriate direct to the Safeguarding Team

Refer to appendix 2 for service specific designated Officers

4.5. All Heads of Service

- 4.5.1 All Heads of Service and relevant employees through their Management Teams will be jointly responsible for ensuring that all the statutory requirements in terms of safeguarding and promoting the welfare of children, young people and vulnerable adults receive due consideration. This includes the quality, content and frequency of training provided and maintaining sufficient staff training records.
- 4.5.2 All Heads of Service must ensure that relevant employees are checked in accordance with the Disclosure and Barring Service (DBS) requirements procedures and that their staff conform to the Policy and Guidelines for Safeguarding children, young people and vulnerable adults.
- 4.5.3 All Heads of Service are expected to ensure that the Policy and Guidelines for Safeguarding children, young people and vulnerable adults is implemented throughout their Service.

4.6. Every Line Manager

- 4.6.1 Every Line Manager is responsible for ensuring that the staff they manage receive training proportionate to their responsibilities.
- 4.6.2 Safeguarding must be a regular item on team briefings and meetings, at supervision and staff appraisals. Line managers must ensure all staff are aware of how to report safeguarding concerns and to whom.

4.7. Every Member of Staff and Volunteers

- 4.7.1 Every member of staff, and all volunteers are responsible for undertaking their duties in a manner which safeguards and promotes the welfare of children and vulnerable adults. They must bring issues of concern regarding the safety and welfare of children, young people and vulnerable adults to the attention of the Designated Officer in their Service. They must raise any concern or allegation of abuse and neglect, without delay.

4.7.2 They must also act in a way which protects them against false allegations of abuse as far as possible and in accordance with this policy.

4.8. Contractors, Sub-contractors or Other Organisations funded by or on behalf of Torfaen County Borough Council

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

5. REFERRAL PROCESS

5.1 Any member of staff with concerns regarding the behaviour of a colleague or another person or persons towards children or venerable adult should contact the Designated Officer within the Service immediately.

5.2 If the council removes an individual (paid worker or unpaid volunteer) from any direct work with Children Young People of Vulnerable Adults (or would have, had the person not left first) because the person poses a risk of harm to children, it is the council's responsibility to make a referral to the Disclosure and Barring Service. It is an offence to fail to make a referral without good reason. In this situation the matter must be discussed with Human Resources

5.3. If an employee (or any member of the public) has concerns regarding the safety of an individual, then they should contact Customer Care immediately on **01495 762200** or the Adult Services Advice and Assessment Team on **01495 762200**

5.4. The Social Care Out-of-Hours Team should be contacted on 0800 **328 4432** if the issue arises after 5.00pm, Monday to Friday and on weekends and Bank Holidays.

5.5. The Police must be contacted immediately if the child or adult is in danger.

6 REPORTING, MONITORING AND REVIEWING

6.1 Corporate Safeguarding Leads Group (CSLG) will publish an Annual update to Council.

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

6.3 It is proposed to submit the Annual update which pays specific attention to the following Performance Indicators

7 TERMS of REFERENCE OF THE CORPORATE SAFEGUARDING LEADS GROUP (CSLG)

The CSLG will act on a Strategic level in order to:

- Inform the Lead Member that the Council's procedures are robust where matters of safeguarding children and adults are in question;
- Bring together interdepartmental work in the safeguarding field and ensure effective whole council communication;
- Support the functions and duties of the Council;
- Resolve any possible barriers that could prevent having effective and successful policies and procedures are in place;
- Receive and consider information about trends in relation to safeguarding issues and to respond and challenge these should the need arise;
- Develop and review an ongoing work program;
- Consider and understand the implications of Child and Adult Practice Reviews and Domestic Homicide Reviews
- Develop and maintain the Corporate Policy for Safeguarding and confirm that every Service area within the Council has an appropriate procedures and guidelines in place

Appendix 1: Local Authority Duties, Definitions and Related Legislation, Policy and Guidance

Local Authority Duties

The Children Act 1989 places a duty on local authorities to promote and safeguard the welfare of children in need in their area. Section 17(1) of the Children Act 1989 states that it shall be the general duty of every local authority:

- to safeguard and promote the welfare of children within their area who are in need; and so far as is consistent with that duty, to promote the upbringing of such children by their families

- under Section 28 of the Children Act 2004, the Council has a duty to ensure that it undertakes its functions from the perspective of the need to safeguard and promote the welfare of children;
- Section 25 of the Children Act 2004 requires that each local authority in Wales must make arrangements to promote co-operation between the authority, each of the authority's relevant partners and such other persons or bodies that the authority thinks is appropriate, to improve the wellbeing of children and young people in their area
- under Section 17 of the Crime and Disorder Act 1998, it is the Council's duty to ensure that every reasonable step is taken to protect adults and prevent crime and disorder when it undertakes its functions.

Safeguarding Children

Safeguarding is a wider concept than the protection of children and adults. While there is no statutory definition of safeguarding, "Safeguarding Children: Working Together Under the Children Act 2004" sets out that safeguarding and promoting the welfare of children encompasses protection from abuse and neglect, preventing impairment of health or development and ensuring that children receive safe and effective care to enable them to have optimum life chances.

Safeguarding Vulnerable Adults

Similarly, in respect of safeguarding vulnerable adults, there is no statutory definition. While "In Safe Hands: Implementing Adult Protection Procedures in Wales" contains no definition of safeguarding vulnerable adults, it does define the concepts of a 'vulnerable adult' and 'significant harm' (see below).

In essence, all vulnerable adults have the right to be protected from abuse and neglect, the right to receive proper care and be supported in seeking help in the event that they have been abused.

What is a Child?

"Safeguarding Children: Working Together Under the Children Act 2004" defines a child as anyone who has not yet reached their 18th birthday. "Children" therefore means "children and young people" throughout that document. The fact that a child has become sixteen years of age, is living independently, or is in Further Education, or is a member of the

armed forces, or is in hospital, or in prison or a young offenders institution does not change their status or their entitlement to services or protection under the Children Act 1989.

What is a vulnerable adult?

The definition of a “vulnerable adult” is set out in Section 59 Safeguarding Vulnerable Groups Act 2006 as a person having attained the age of 18 and:

- a) Is in residential accommodation;
- b) Is in sheltered housing;
- c) Receives domiciliary care;
- d) Receives any form of health care;
- e) Is detained in lawful custody;
- f) Is by virtue of a court order under supervision by a person exercising functions for the purposes of Part 1 of the Criminal Justice and Courts Services Act 2000 (c.43);
- g) Receives a welfare service of a prescribed description;
- h) Receives any service or participates in any activity provided specifically for persons who fall within subsection (9);
- i) Payments are made to him (or to another on his behalf) in pursuance of arrangements under section 57 of the Health and Social Care Act 2001 (c.15);
- j) Requires assistance in the conduct of his own affairs.

Safeguarding Risks to Children

The following definitions are taken from chapter six of ‘Safeguarding Children: working together under the Children Act 2004:

Neglect

The persistent or severe neglect of a child, or the failure to protect a child from exposure to any kind of danger, including cold, starvation or extreme failure to carry out important aspects of care, resulting in the significant impairment of the child’s health or development, including non-organic failure to thrive.

Physical abuse

The hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating, or otherwise causing physical harm to a child. Physical harm may also be caused when a parent or carer fabricates or induces illness in a child whom they are looking after.

Emotional abuse

The persistent emotional ill-treatment of a child such as to cause severe and persistent adverse effects on the child's emotional and behavioural development.

Sexual abuse

Forcing or enticing a child or young person to take part in sexual activities, whether or not the child is aware of what is happening, including:

- Physical contact, including penetrative or non-penetrative acts.
- Non-contact activities, such as involving children in looking at, or in the production of, pornographic material or watching sexual activities
- Encouraging children to behave in sexually inappropriate ways

Significant Harm

Section 31 (10) of the Children Act 1989 states that 'where the question of whether harm suffered by a child is significant turns on the child's health or development, his health or development shall be compared with that which could reasonably be expected of a similar child'.

Safeguarding Risks to Adults

Forms of abuse include:

- **Physical** abuse such as hitting, pushing, pinching, shaking, misusing medication, scalding, hair pulling
- **Sexual** abuse such as forcing someone into unwanted sexual activity, being touched inappropriately, rape, sexual assault, or sexual acts to which the vulnerable adult has not or could not have consented, or to which they were pressurised into consenting
- **Psychological** or **emotional** abuse such as intimidation, being threatened, being ignored on purpose, humiliation, blaming, controlling, coercion, harassment, verbal abuse, being prevented from friends or family visiting or being prevented from receiving services or support.
- **Financial** abuse such as stealing someone's money or spending it on the wrong things, putting pressure on someone to make changes to their will or spend their money against their wishes, fraud or exploitation, pressure in connection with property, inheritance, misuse of property, possessions or benefits.

- **Neglect** such as ignoring medical or physical care needs, preventing access to health, social care or educational services, not caring for someone properly, not providing adequate food, putting them at risk.
- **Discriminatory** abuse such as when a person is treated unfairly because of their colour, religion, disability or sexual orientation.
- **Institutional** abuse, such as rigid, intensive routines, or inadequate privacy or comfort. This can happen in care homes or hospitals or when someone receives an institutional style of care in their own home.

Related Legislation,

[Children Act 1989](#)[Children Act 2004](#)

[Safeguarding Vulnerable Groups Act 2006](#)

[Education Act 2002](#)

[Children and Young Peoples Act 2006](#) [Children and Young Peoples Act 2008](#)

[Education Act 2011](#)

Policy and Guidance

[Rights to Action](#)

[Safeguarding children: working together under the Children Act 2004 All](#)

[Wales child protection procedures](#)

Appendix 2 The Designated Officers for each Service are as follows:

<u>Department</u>	<u>Contact</u>
Social Care and Housing	Name: Keith Rutherford, Deputy Chief Officer E: Keith.Rutherford@torfaen.gov.uk P: 01495 761611
<u>Public Services Support Unit</u>	Name: Lyndon Puddy, Head of PSSU E: Lyndon.Puddy@torfaen.gov.uk P: 01495 742304
<u>Strategic Services</u>	Name: Caroline Genever-Jones, Corporate Improvement Officer & Business Manager

	E: Caroline.Genever-Jones@torfaen.gov.uk P: 01495 766074
<u>Planning & Public Protection</u>	Name: Kim Pugh, Head of Public Protection E: Kim.Pugh@torfaen.gov.uk P- 01633747627
<u>Community Services</u>	Name: Jessica Gabriel, Business Manager (CSU) E: Jessica.Gabriel@torfaen.gov.uk P: 01495 766225
<u>Education Service,</u>	Name: Darren Joseph, Head of Safeguarding and Support E: Darren.Joseph@torfaen.gov.uk P: 01495 766932
<u>SRS</u>	Name – Cath Barnard, ICT Back Office; Service Desk; Training Team; CCTV Control Room; E: cath.barnard@torfaen.gov.uk P: 01633 647440
<u>Resources</u>	Name: Delyth Harries, Assistant Chief Legal Officer and Deputy Monitoring Officer E: Delyth.Harries@torfaen.gov.uk P: 01495 742652
<u>Social Care and Housing Group Manager – Children’s Services</u>	Name: Bernadette Anderton E: Bernadette.Anderton@torfaen.gov.uk P: 01495 742823
<u>Social Care and Housing Management Support Community Care Group Manager (Adults)</u>	Name: Sarah Paxton E: SarahJane.Paxton@torfaen.gov.uk P: 01495 761686