

Meeting:	Cabinet	Date:	25 June 2014
Subject:	Safeguarding Update		
Report Of:	Cabinet Member for Communities and Neighbourhoods		
Wards Affected:	All Wards		
Key Decision:	No	Budget/Policy Framework:	No
Contact Officer:	Sadie Neal, Business Improvement Manager		
	Email: sadie.neal@gloucester.gov.uk	Tel:	396326
Appendices:	1. Section 11 audit		
	2. Action Plan		

FOR GENERAL RELEASE

1.0 Purpose of Report

- 1.1 The purpose of the report is to provide an annual update to Cabinet on how the organisation is managing its safeguarding responsibilities and to acknowledge the action plan which is produced as a result of the annual completion of the annual Section 11 audit.

2.0 Recommendations

- 2.1 Cabinet is asked to **RESOLVE:**

- (a) that all City Council staff and members complete the e-learning package for safeguarding children; and
- (b) agree the proposals set out in the Future Work section (6.0) of the report.

3.0 Background and Key Issues

- 3.1 A Safeguarding update was brought to SMT in May 2013 in response to the DfE publication of the revised statutory guidance, *working together to safeguard children: A guide to inter-agency working to safeguard and promote the welfare of children* (15/04/13).
- 3.2 The e-learning package is free and takes about an hour and is effective in ensuring all staff know what Safeguarding is. It is recommended that HR keep a list of staff that have undertaken the training.
- 3.3 **Statutory Framework – Children Act 2004**
Section 10 requires each local authority to make arrangements to promote cooperation between the authority, each of the authority's relevant partners and such other persons or bodies working with children in the local authority's area as the authority considers appropriate. The arrangements are to be made with a view

to improving the wellbeing of children in the authority's area – which includes protection from harm or neglect alongside other outcomes.

- 3.4 Section 11 requires a range of organisations and individuals to make arrangements for ensuring that their functions, and services provided by another party on their behalf, are discharged with regard to the need to safeguard and promote the welfare of children
- 3.5 Section 13 requires each local authority to establish a Local Safeguarding Children Board (LSCB) for their area and specifies the organisations and individuals (other than the local authority) that the Secretary of State may direct should be represented on LSCBs.
- 3.6 **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:

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

by providing a range and level of services appropriate to those children's needs.

- 3.7 Section 17(10) states that a child shall be taken to be in need if:
- (a) the child is unlikely to achieve or maintain, or to have the opportunity of achieving or maintaining, a reasonable standard of health or development without the provision of services by a local authority under Part III of the Children Act 1989;
 - (b) the child's health or development is likely to be significantly impaired, or further impaired, without the provision of such services; or
 - (c) the child is disabled.

Under section 17, local authorities have responsibility for determining what services should be provided to a child in need. This does not necessarily require local authorities themselves to be the provider of such services.

- 3.8 Section 17(5) enables the local authority to make arrangements with others to provide services on their behalf and states that every local authority:
- (a) shall facilitate the provision by others (including in particular voluntary organisations) of services which it is a function of the authority to provide by virtue of this section, or section 18, 20, 22A to 22C, 23B to 23D, 24A or 24B; and
 - (b) may make such arrangements as they see fit for any person to act on their behalf in the provision of any such service.

- 3.9 Section 27 of the Children Act 1989 imposes a duty on other local authorities, certain local authority services and health bodies to cooperate with a local authority in the exercise of that authority's duties under Part 3 of the Act which relate to local authority support for children and families. Where it appears to a local authority that any authority or body mentioned in section 27(3) could, by taking any specified action, help in the exercise of any of their functions under this Part, they may request the help of that other authority or body, specifying the action in question. An authority or body whose help is so requested shall comply with the request if it is compatible with their own statutory or other duties and obligations and does not unduly prejudice the discharge of any of their functions. The authorities are:
- (a) any local authority;
 - (b) any local housing authority;
 - (c) any Local Health Board, Special Health Authority, Primary Care Trust, (National Health Service Trust or NHS Foundation Trust; and
 - (d) any person authorised by the Secretary of State for the purpose of section 27.

3.10 Section 47(1) of the Children Act 1989 states that: Where a local authority:

- (a) are informed that a child who lives, or is found, in their area (i) is the subject of a an emergency protection order, or (ii) is in police protection, or (iii) has contravened a ban imposed by a curfew notice imposed within the meaning of Chapter 1 of Part 1 of the Crime and Disorder Act 1989; or
- (b) have reasonable cause to suspect that a child who lives, or is found, in their area is suffering, or is likely to suffer, significant harm;

The authority shall make, or cause to be made, such enquires as they consider necessary to enable them to decide whether they should take any action to safeguard and promote the child's *welfare*.

In the case of a child falling within paragraph (a) (iii) above, the enquiry shall be commenced as soon as practicable and, in any event, within 48 hours of the authority receiving the information.

Section 17 and section 47 of the Children Act 1989 require that before determining what services to provide or what action to take, in respect to the child, the local authority shall, so far as is reasonably practicable and consistent with the child's welfare:

- (a) ascertain the child's wishes and feelings regarding the provision of those services or the action to be taken; and
- (b) give due consideration (with regard to the child's age and understanding) to such wishes and feelings of the child as they have been able to ascertain

3.11 Main changes from the proposals which were subject to consultation are:

- A greater emphasis on the needs of the individual children being at the centre of all local safeguarding systems;
- Removal of the distinction between initial and core assessment and the 10

working day timescale for completion of the initial assessment, but retention for the time being of the current 45 working days national maximum timescale for completion of an assessment;

- Some clarification of specific responsibilities either of individual organisations (eg.health services) or in specific areas of practice (eg. Information sharing or dealing with allegations);
- The guidance on Local Safeguarding Childrens Boards is now rather more explicit, with stronger accountability arrangements for their Chairs;
- Guidance on learning from Serious Case reviews (SCRs) does not specify the learning model to be used; and
- A new national panel of independent experts is to be established to provide advice to LSCBs about the application of SCR criteria and the requirement to publish reports, to which LSCBs should have regard when making decisions about SCRs.

3.12 Progress

- Taking into account the new guidance and the expectations placed on different professionals The City Council is required to ensure all staff understands what safeguarding is and if they do have concerns, they know how they can raise them.
- All information in relation to safeguarding has been updated and published on the Councils Intranet in April 2013 and staff notified of where to find it via the In House publication.
- In house communications are sent out to all staff every 3 months with the last communication circulated in May 2014 to remind staff of safeguarding responsibilities, details of safeguarding champion and how to access training.
- Safeguarding is part of the Induction process and the safeguarding policy is issued to all staff via the policy management software – Net Consent. This ensures that it is issued to all staff who then get the option to query if not understood.
- Appraisal forms ask the question to all staff, ‘do you understand your safeguarding responsibilities’? These are undertaken yearly and can help inform levels of understanding amongst staff.
- Notifications sent to managers of frontline services to check staff have undergone training and how to access it for those who haven’t. Record of who has undertaken safeguarding e-learning training has been updated.
- Safeguarding champion undertook safeguarding advanced practitioner course on 8th & 9th May 2013.
- Groups that are funded through the City Council community grants programme will be required to have an up to date safeguarding policy to be eligible.

- Gloucester City represented at the quarterly meet of the GSCB by the safeguarding champion and at the GSCB business planning day held on 22nd January 2014.
- The Council has not committed to making a financial contribution to the GSCB but continues to offer support by providing facilities for the quarterly meetings when required and hosting the annual GSCB Business Planning day. Also through the allocation of staff resource for training and safeguarding champion.
- Two members of the HR service have undertaken the safer recruitment training on 2nd May 2013.
- Section 11 returned in December 2013 along with submissions from Aspire and GCH.
- Some frontline services have also accessed the e-learning package for safeguarding vulnerable adults and awaiting feedback.
- Safeguarding Champion attended the GSAB/CB (adults & childrens board) communication summits to prioritise with the rest of the county, key messages and campaigns.
- All districts are due to meet up in June 2014 for the first time to discuss best practice in safeguarding.

4.0 Alternative Options Considered

4.1 None

5.0 Reasons for Recommendations

5.1 To ensure effective and compliant approach to safeguarding in the City.

6.0 Future Work and Conclusions

6.1 Continue to promote and communicate to all staff its safeguarding responsibilities through the safeguarding champion by;

- Continued attendance and participation at the GSCB
- Regular attendance at SMT for updates (2 per year)
- Planned communications for all staff (4 per year)
- Return of section 11 audit along with partner organisations
- Attendance at service team times and GMT when required
- Promotion of the e-learning package for all staff
- Central collation of safeguarding training undertaken
- Make safeguarding prominent in applications for community grants 2014
- Safeguarding champion to enact upon recommendations in action plan from section 11 return.
- Promotion of safeguarding and associated training to community groups and volunteers.

7.0 Financial Implications

7.1 Gloucester City has not committed any funds to the GSCB but agree to provide support through the provision of facilities for quarterly and associated meetings.

8.0 Legal Implications

8.1 To comply with statutory framework and guidance.

9.0 Risk & Opportunity Management Implications

9.1 By accepting the recommendations as set out in the report the council manages the risk associated with non compliance of legislative requirements.

10.0 People Impact Assessment (PIA):

10.1 The PIA Screening Stage was completed and did not identify any potential or actual negative impact.

11.0 Other Corporate Implications

Community Safety

11.1 This has had a positive impact on community safety as it has promoted the need to share information appropriately and improved partnership working between agencies.

Sustainability

11.2 The responsibility is allocated to a named officer and is established in the staffing structure.

Staffing & Trade Union

11.3 There are no staffing and trade union implications.

Background Documents:

Working Together to Safeguard Children, A guide to inter-agency working to safeguard and promote the welfare of children, March 2013, HM Government.