

<b>Subject:</b>	Review of Policies and Procedures	<b>Status:</b>	For Publication
<b>Report to:</b>	Overview and Scrutiny	<b>Date:</b>	5 <sup>th</sup> December 2016
<b>Report of:</b>	Chief Executive	<b>Portfolio Holder:</b>	Resources and Finance
<b>Key Decision:</b>	<input checked="" type="checkbox"/> Forward Plan <input checked="" type="checkbox"/>	General Exception <input type="checkbox"/>	Special Urgency <input type="checkbox"/>
<b>Equality Impact Assessment:</b>	Required:	Yes	Attached: Yes
<b>Biodiversity Impact Assessment</b>	Required:	No	Attached: No
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<b>1.</b>	<b>RECOMMENDATION(S)</b>
1.1	Members agree the Adult Safeguarding Policy, as attached, which has been revised as part of the Council's policy review cycle in line with best practice.
1.2	Members agree the Safeguarding Children and Young People Policy, as attached, which has been revised as part of the Council's policy review cycle in line with best practice.
1.3	Members agree the Domestic Violence Policy, as attached, which has been revised as part of the Council's policy review cycle in line with best practice.

**2. PURPOSE OF REPORT**

2.1 To seek Members agreement to the policies set out in Section 1 (above).

**3. CORPORATE PRIORITIES**

3.1 The matters discussed in this report impact directly on the following corporate priorities:

- **Responsive Value for Money Services:** This priority is about the Council working collaboratively, being a provider, procurer and a commissioner of services that are efficient and that meet the needs of local people.

**4. RISK ASSESSMENT IMPLICATIONS**

4.1 All the issues raised and the recommendation(s) in this report involve risk considerations as set out below:

- Councils are required by law to carry out enquires for those individuals who meet the criteria as outlined in Section 42 of the Care Act 2014. Robust and effective policies and procedures will enable prevention and/or early safeguarding and provide all staff, volunteers and Councillors with a clear understanding of the issues around safeguarding including their responsibilities, the Council's processes and procedures and what to do to report a safeguarding concern.
- The Council needs to demonstrate it's commitment to and support for any employee experiencing domestic abuse, whether they approach the Council as a service user or employee; increase awareness of domestic abuse, what forms it can take and its likely effects on Rossendale's community; and to provide advice about appropriate action to take should any employee be experiencing domestic abuse, whether they approach the Council as a service user or employee.

## 5. BACKGROUND AND OPTIONS

5.1 In drafting new policies and amending existing policies research has been undertaken, for the purpose of best practice, with other Local Authorities, industry experts and professionals, professional bodies and organisations.

5.2 The Adult Safeguarding Policy has been refreshed and updated as part of the Council's policy review cycle in line with best practice.

The Adult Safeguarding Policy is attached (appendix 1)

5.3 The Safeguarding Children and Young People Policy has been refreshed and updated as part of the Council's policy review cycle in line with best practice.

The Safeguarding Children and Young People Policy is attached (appendix 2)

5.4 The Domestic Violence Policy has been refreshed and updated as part of the Council's policy review cycle in line with best practice.

The Domestic Violence Policy is attached (appendix 3)

5.5 Formal consultation with the Trade Union was held on 22<sup>nd</sup> September 2016 to review the revised policies and procedures.

### COMMENTS FROM STATUTORY OFFICERS:

#### 6. SECTION 151 OFFICER

6.1 Any financial matters arising will be contained within existing budget resource.

#### 7. MONITORING OFFICER

7.1 It is important to have robust and up to date policies in place to ensure the Council's fully protected in the event of legal challenge.

#### 8. POLICY IMPLICATIONS AND CONSULTATION CARRIED OUT

8.1 Full consultation has been undertaken with Homelessness Team, Star, Lancashire Social Care, other Local Authorities, Portfolio Holders, the Management Team, and the Trade Union as detailed in Section 5.

#### 9. CONCLUSION

9.1 Amendments to policies will make them more robust and bring them in line with current legislation.

### Background Papers

Document	Place of Inspection
Adult Safeguarding Policy	Appendix 1
Safeguarding Children and Young People Policy	Appendix 2

Domestic Violence Policy	Appendix 3

# Safeguarding Adults

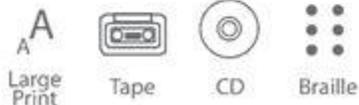
Date of issue

If you are worried about an adult please use the flowchart on the back page to decide the correct course of action.

Where there is a serious and immediate threat  
call **999**

Other formats are available.  
Please call 01706 217777 or  
visit our One Stop Shop at  
Futures Park, Bacup.

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# Safeguarding Adults Policy

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# 1. Policy Statement

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Rossendale Borough Council is committed to safeguarding and promoting the welfare of Adults at risk and to delivering services that promote good practice. The welfare of the Adult at risk is paramount and is always the primary concern of the Council who recognise the need to ensure the welfare of Adults whatever their age, gender, sexual orientation, race, religion or belief, gender reassignment, disability, culture or circumstance.

The Adult experiencing, or at risk of abuse or neglect, will hereafter be referred to as the Adult, replacing any previous terms such as Adult at Risk or Vulnerable Adult.

This policy and guidance will provide all staff, volunteers and Councillors with a clear understanding of the issues around safeguarding including their responsibilities, the Council's processes and procedures, and what to do to report a safeguarding concern.

The Council is committed to the following principles and actions:

- The Council will ensure that a protective safeguarding culture is in place and is actively promoted within the Council and will work together with other agencies to safeguard Adults.
- The Council will implement procedures to safeguard Adults and take all reasonable steps to protect them from harm, discrimination and to respect their rights, wishes and feelings.
- The Council will have a Designated Safeguarding Officer (DSO) and safeguarding contacts.
- The Council will have a safe recruitment and selection process, ensuring all relevant staff are Disclosure and Barring Service (DBS) checked at the appropriate level.
- The Council will provide safeguard training to all employees, volunteers and Councillors at the appropriate level.
- The Council will communicate relevant information to employees, volunteers and Councillors via the Shared Area and staff handbook.
- All Council employees, volunteers and Councillors have a responsibility to report concerns of suspected abuse or poor practice.
- The Council will have an easily understandable reporting and monitoring system.
- The Council will take all incidents of poor practice and allegations or suspicions of abuse seriously and these will be responded to swiftly and appropriately.

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- The Council will work collaboratively with partner organisations/services.
- Confidentiality shall be upheld in line with current Data Protection and Human Rights legislation.

## 2. Introduction

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The Care Act 2014 became law on the 14<sup>th</sup> May 2014. The Act creates a single law for Adult care and support, replacing more than a dozen different pieces of legislation.

The Act introduces new duties and requirements of Local Authorities in a number of areas, including safeguarding Adults.

All staff has the responsibility to follow the principles enshrined within the Care Act 2014. The Statutory Guidance of the Care Act 2014 enshrines the six principles of safeguarding as:

**Empowerment** - presumption of person led decisions and informed consent

**Prevention** --it is better to take action before harm occurs

**Proportionality** --proportionate and least intrusive response appropriate to the risk presented

**Protection** - support and representation for those in greatest need

**Partnerships** - local solutions through services working with their communities

**Accountability** - accountability and transparency in delivering safeguarding.

Adult Social Care and the most of the requirements of the Care Act 2014 is the responsibility of Lancashire County Council. Rossendale Borough Council, as a Borough Council has a duty to co-operate with Lancashire County Council and any other appropriate authority as well as providing appropriate information and assisting with any investigation that may be required.

The Safeguarding duties apply to an Adult who:

- Has needs for care and support (whether or not the local authority is meeting any of those needs); and
- Is experiencing, or at risk of, Abuse or Neglect; and
- As a result of those care and support needs is unable to protect themselves from either the risk of, or the experience of Abuse or Neglect.

The Care Act 2014 identifies a number of different types and patterns of abuse and neglect and the circumstances in which they may take place.

It is important to note that professionals should not limit their view on what constitutes abuse or neglect, as they can take many forms and the circumstances of the individual must always be considered.

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### 3. Recruitment

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As a Council we need to ensure that our practices and standards are consistent across all services in recruitment and selection of staff/volunteers that will be working with/having access to Adults.

The following points express the actions we will take during the recruitment and selection process to ensure this. They take into account the changes to the national vetting and barring scheme as per the 2012 Protection of Freedoms Act.

- All posts will be assessed by the People and Policy Team to identify which posts will undertake regulated activity. Managers/service heads will be notified as appropriate.
- All advertising of regulated posts will be explicit in the need for Disclosure and Barring Service (DBS) clearance check.
- DBS clearance checks will be completed and refreshed as appropriate.

### 4. Training

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All staff will be required to complete safeguard training as a statutory requirement, at a minimum this will be Level 1 Safeguard Awareness Training.

It is the responsibility of each Manager and staff, in liaison with People and Policy, to make sure that all staff have received the appropriate level of training for them to be confident and competent when working with Adults and being able to recognise and respond to safeguarding concerns.

Refresher training will be completed every three years or following any changes to legislation.

Basic Safeguarding Training will be offered on the 'Member Training Programme' for all Elected Members.

The DSO will ensure relevant staff have access to relevant inter-agency and professional training opportunities to ensure they are able to effectively deal with a wide variety of queries and situations.

### 5. Abuse and Neglect

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The Council has a duty to ensure that Adults are protected from abuse and staff members are encouraged to report abuse should they suspect it is occurring.

Incidents of abuse may be one-off or multiple, and affect one person or more.

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Patterns of abuse and abusing vary and reflect very different dynamics. These include:

- **Serial Abuse** in which the perpetrator seeks out and ‘grooms’ individuals. Sexual abuse sometimes falls into this pattern as do some forms of financial abuse.
- **Long-term Abuse** in the context of an on-going family relationship such as domestic violence between spouses or generations or persistent psychological abuse.
- **Opportunistic Abuse** such as theft occurring because money or jewellery has been left lying around.

Anyone can abuse or neglect Adults including; spouses/partners, other family members, neighbours, friends, acquaintances, local residents, paid staff or professionals and volunteers or strangers.

Abuse can happen anywhere: for example, in someone’s own home, in a public place, in hospital, in a care home or in college. It can take place when an adult lives alone or lives with others.

While a lot of attention is paid, for example to targeted fraud or internet scams perpetrated by complete strangers, it is far more likely that the person responsible for abuse is known to the Adult and is in a position of trust and power.

### **Types and indicators of abuse and neglect include:**

#### **Disability Hate Crime**

The Criminal Justice System defines a disability hate crime as any criminal offence, which is perceived, by the victim or any other person, to be motivated by hostility or prejudice based on a person’s disability or perceived disability.

The Police monitor five strands of hate crime as: Disability; Race; Religion; Sexual orientation; Transgender.

#### **Discriminatory Abuse**

Discrimination on the grounds of race, faith or religion, age, disability, gender, sexual orientation and political views, along with racist, sexist, homophobic or ageist comments or jokes, or comments and jokes based on a person’s disability or any other form of harassment, slur or similar treatment or excluding a person from activities on the basis they are ‘not liked’ is also discriminatory abuse.

#### **Domestic Abuse**

The Home Office (March 2013) defines domestic abuse as: Any incident or pattern of incidents of controlling, coercive or threatening behaviour, violence or abuse between those

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aged 16 or over, who are or have been intimate partners or family members regardless of gender or sexuality.

This can encompass but is not limited to the following types of abuse: Psychological; Physical; Sexual; Financial; Emotional. Domestic Abuse may also include controlling and coercive.

### **Female Genital Mutilation (FGM)**

Female Genital Mutilation involves procedures that intentionally alter or injure female genital organs for non-medical reasons. The procedure has no health benefits for girls and women. The Female Genital Mutilation Act (2003) makes it illegal to practise FGM in the UK or to take girls who are British Nationals or permanent residents of the UK abroad for FGM whether or not it is lawful in another country.

### **Financial or Material Abuse**

Financial or material abuse includes theft, fraud, internet scamming, coercion in relation to an adult's financial affairs or arrangements, including in connection with wills, property, inheritance or financial transactions, or the misuse or misappropriation of property, possessions or benefits.

### **Forced Marriage**

Forced Marriage is a term used to describe a marriage in which one or both of the parties are married without their consent or against their will. A forced marriage differs from an arranged marriage, in which both parties consent to the assistance of a third party in identifying a spouse.

In a situation where there is concern that an Adult is being forced into a marriage they do not or cannot consent to, there will be an overlap between action taken under the forced marriage provisions and the Adult safeguarding process. In this case action will be co-ordinated with the Police and other relevant organisations. The Police must always be contacted in such cases as urgent action may need to be taken.

The Anti-social Behaviour, Crime and Policing Act 2014 make it a criminal offence to force someone to marry. In addition, Part 4A of the Family Law Act 1996 may be used to obtain a Forced Marriage Protection Order as a civil remedy.

### **Hate Crime**

The Police define Hate Crime as 'any incident that is perceived by the victim, or any other person, to be racist, homophobic, trans-phobic or due to a person's religion, belief, gender identity or disability'.

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It should be noted that this definition is based on the perception of the victim or anyone else and is not reliant on evidence. In addition it includes incidents that do not constitute a criminal offence.

## **Honour-based Violence**

Honour-based Violence will usually be a criminal offence, and referring to the Police must always

be considered. It has or may have been committed when families feel that dishonour has been brought to them. Women are predominantly (but not exclusively) the victims and the violence is often committed with a degree of collusion from family members and/or the community. Some of these victims will contact the Police or other organisations. However, many others are so isolated and controlled that they are unable to seek help.

Adult safeguarding concerns that may indicate honour-based violence include domestic violence, concerns about forced marriage, enforced house arrest and missing person's reports. If an Adult safeguarding concern is raised, and there is a suspicion that the Adult is the victim of honour-based violence, referring to the Police must always be considered as they have the necessary expertise to manage the risk.

## **Human Trafficking**

Human Trafficking is actively being used by Serious and Organised Crime Groups to make considerable amounts of money. This problem has a global reach covering a wide number of countries. It is run like a business with the supply of people and services to a customer, all for the purpose of making a profit.

Traffickers exploit the social, cultural or financial vulnerability of the victim and place huge financial and ethical obligations on them. They control almost every aspect of the victim's life, with little regard for the victim's welfare and health.

## **Mate Crime**

A 'Mate Crime' as defined by the Safety Net Project 'when vulnerable people are befriended by members of the community who go on to exploit and take advantage of them. It may not be an illegal act but still has a negative effect on the individual.' 'Mate Crime' is often difficult for Police to investigate, due to its sometimes ambiguous nature, but should be reported to the Police who will make a decision about whether or not a criminal offence has been committed. 'Mate Crime' is carried out by someone the Adult knows and often happens in private.

## **Modern Slavery**

Slavery, servitude and forced or compulsory labour. A person commits an offence if:

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- The person holds another person in slavery or servitude and the circumstances are such that the person knows or ought to know that the other person is held in slavery or servitude, or
- The person requires another person to perform forced or compulsory labour and the circumstances are such that the person knows or ought to know that the other person is being required to perform forced or compulsory labour.

There are many different characteristics that distinguish slavery from other human rights violations, however only one needs to be present for slavery to exist. Someone is in slavery if they are:

- Forced to work - through mental or physical threat;
- Owned or controlled by an 'employer', usually through mental or physical abuse or the threat of abuse;
- Dehumanised, treated as a commodity or bought and sold as 'property';
- Physically constrained or has restrictions placed on his/her freedom of movement.

Contemporary slavery takes various forms and affects people of all ages, gender and races. Adults who are enslaved are not always subject to human trafficking. Recent court cases have found homeless Adults, promised paid work opportunities enslaved and forced to work and live in dehumanised conditions, and Adults with a learning difficulty restricted in their movements and threatened to hand over their finances and work for no gains. From 1 November 2015, specified public authorities have a duty to notify the Secretary of State of any individual identified in England and Wales as a suspected victim of slavery or human trafficking, under Section 52 of the Modern Slavery Act 2015.

### **Neglect and Acts of Omission**

Ignoring medical, emotional or physical care needs, failure to provide access to appropriate health, social care or educational services, and the withholding of the necessities of life, such as, medication, adequate nutrition and heating. Neglect also includes a failure to intervene in situations that are dangerous to the person concerned or to others, particularly when the person lacks the mental capacity to assess risk for themselves.

### **Organisational Abuse**

Is the mistreatment, abuse or neglect of an Adult by a regime or individuals in a setting or service where the Adult lives or that they use. Such abuse violates the person's dignity and represents a lack of respect for their human rights.

### **Physical Abuse**

Physical Abuse includes assault, hitting, slapping, pushing, mis-use of medication, restraint or inappropriate physical sanctions.

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## Psychological Abuse

Psychological Abuse includes emotional abuse, threats of harm or abandonment, deprivation of contact, humiliation, blaming, controlling, intimidation, coercion, harassment, verbal abuse, cyber bullying, isolation or unreasonable and unjustified withdrawal of services or supportive networks.

## Restraint

Unlawful or inappropriate use of restraint or physical interventions. In extreme circumstances unlawful or inappropriate use of restraint may constitute a criminal offence. Someone is using restraint if they use force, or threaten to use force, to make someone do something they are resisting, or where an Adult's freedom of movement is restricted, whether they are resisting or not.

Restraint covers a wide range of actions. It includes the use of active or passive means to ensure that the person concerned does something, or does not do something they want to do, for example, the use of key pads to prevent people from going where they want from a closed environment.

## Sexual Abuse

Sexual Abuse includes rape, indecent exposure, sexual harassment, inappropriate looking or touching, sexual teasing or innuendo, sexual photography, subjection to pornography or witnessing sexual acts, indecent exposure and sexual assault or sexual acts to which the adult has not consented or was pressured into consenting.

## Sexual Exploitation

Sexual Exploitation involves exploitative situations, contexts and relationships where Adults receive 'something' (such as, food, accommodation, drugs, alcohol, cigarettes, affection, gifts, money) as a result of them performing, and/or another or others performing on them, sexual activities. It affects men as well as women. People who are sexually exploited do not always perceive that they are being exploited.

In all cases those exploiting the Adult have power over them by virtue of their age, gender, intellect, physical strength, and/or economic or other resources. There is a distinct inequality in the relationship. Signs to look out for are not being able to speak to the Adult alone, observation of the Adult seeking approval from the exploiter to respond and the person exploiting the Adult answering for them and making decisions without consulting them.

## 6. Radicalisation

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Radicalisation is comparable to other forms of exploitation, such as, grooming. The aim of radicalisation is to attract people to violent extremist's reasoning, inspire new recruits and

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embed their extreme views and persuade Adults of the legitimacy of their case. This may be direct through a relationship, or through social media.

There are a number of factors that may make the Adult susceptible to exploitation by violent extremists. None of these factors should be considered in isolation but in conjunction with the particular circumstances of the individual.

## Prevent

Prevent is part of the Government's counter-terrorism strategy CONTEST and aims to provide support and re-direction to Adults of being groomed into terrorist activity before any crimes are committed.

The Prevent Strategy is one of the four elements of CONTEST, the National Counter Terrorism Strategy, covers all forms of extremism and has three strategic objectives:

- Respond to the ideological challenge of terrorism and the threat from those who promote it.
- Prevent people from being drawn into terrorism and ensure that they are given appropriate support.
- Work with sectors and institutions where there are risks of radicalisation that need to be addressed.

All staff will be required to attend Prevent Training as a statutory requirement, via a home office approved, training package called "Workshop to Raise Awareness around Prevent" (WRAP).

## Reporting a Concern

If you have a concern you should follow the Council's safeguarding procedure, you should contact your line manager or the **Designated Safeguarding Officer (DSO) – Clare Law or the Police if there is an immediate risk** to refer into the Channel process.

Channel is a multi-agency safeguarding programme run in every local authority in England and Wales (Rossendale Borough Council's is chaired by Blackburn with Darwen Council). It works to support vulnerable people from being drawn into terrorism and provides a range of support such as mentoring, counselling, assistance with employment etc. Channel is about early intervention to protect Adults from being drawn into committing terrorist-related activity and addresses all types of extremism.

The purpose of Channel is to assess the nature and extent of the risk and develop the appropriate support plan for the Adults concerned.

Participation in Channel is voluntary. It is up to an Adult and under, to decide whether to take

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up the support it offers. Channel does not lead to a criminal record.

## 7. Spotting Signs of Abuse and Neglect

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Council employees, Elected Members need to be vigilant about Adult safeguarding concerns and identifying concerns.

Findings from Serious Case Reviews have sometimes stated that if professionals or other staff had acted upon their concerns or sought more information, then death or serious harm might have been prevented.

Anyone can witness or become aware of information suggesting that abuse and neglect is occurring. The matter may, for example, be raised by a worried neighbour, a GP, a Customer Services Officer, a Refuse Operative, Environmental Health Officer or any other Local Authority Officer.

Regardless of how the safeguarding concern is identified, everyone should understand what to do, and where to get help and advice. It is vital that professionals, other staff and members of the public are vigilant on behalf of those unable to protect themselves. This will include:

- Knowing about different types of abuse and neglect and their signs
- Supporting Adults to keep safe;
- Knowing who to tell about suspected abuse or neglect; and
- Supporting Adults to think and weigh up the risks and benefits of different options when exercising choice and control.

Awareness campaigns for the general public and multi-agency training for all staff will contribute to achieving these objectives.

## 8. Reporting and Responding to Abuse and Neglect

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It is important to understand the circumstances of abuse, including the wider context such as whether others may be at risk of abuse, whether there is any emerging pattern of abuse or neglect, whether others have witnessed abuse and the role of family members and paid staff or professionals.

The circumstances surrounding any actual or suspected case of abuse or neglect will inform the response.

The nature and timing of the intervention and who is best placed to lead will be, in part, determined by the circumstances.

Early sharing of information is the key to providing an effective response where there are

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emerging concerns. No professional should assume that someone else will pass on information which they think may be critical to the safety and wellbeing of the Adult. If a professional has concerns about the Adult's welfare and believes they are suffering or likely to suffer abuse or neglect, then they should share the information with the local authority and, or, the police if they believe or suspect that a crime has been committed.

## 9. What to do if you're worried about an Adult

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Follow the procedure on the flowchart which is on the back of this policy and the safeguarding concern form, to ensure the correct action takes place to deal with this disclosure.

### Where there is a serious and immediate threat: call 999

If you are made aware of any instance of abuse or neglect, or have any concerns about it, it is important to note down the details in writing as soon as possible. This will help you to maintain a clear recollection of what happened and what was said, and will allow you to complete your referral form fully.

If you are acting in a professional capacity as an employee of the Council then you must also complete a Safeguarding Referral Form once you have taken appropriate action (**Appendix A**).

Records will be kept for an appropriate amount of time to comply with legislation.

## 10. Allegations of abuse against Staff, Councillors or Volunteers

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If an allegation of abuse is made against an employee, the DSO (or Strategic Safeguarding Lead if the concern is relating to the DSO) must be informed immediately; consideration will be given to suspending the employee from work in accordance with the Council's Disciplinary Policy and Procedure.

Allegations of harm or inappropriate behaviour made against staff, either paid or unpaid, are serious and must be dealt with by Lancashire County Council Social Care Services, who will appoint a professional independent person who will be responsible for:

- The management and oversight of individual cases.
- Providing advice and guidance to employers and voluntary organisations.
- Liaising with the police and other agencies.
- Monitoring the progress of cases to ensure that they are dealt with as quickly as possible, consistent with a thorough and fair process.

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## Guidance for staff on dealing with allegations of harm or inappropriate behaviour

If someone (a child, parent, service user, fellow colleague, etc.) makes an allegation to you about another member of staff:

- Do NOT investigate yourself but speak to your line manager, your line manager will contact the DSO.
- The DSO will contact the Lancashire County Council Social Care directly at the earliest available opportunity.
- Lancashire County Council Social Care will advise the DSO on the correct course of action. Suspension of staff is not automatic and neither is an assumption of guilt. Each situation will need to be dealt with in a robust and sensitive manner.

If you have concerns about your Manager, the DSO, or anyone else that may make the above process inappropriate, please refer to the Council's Whistle Blowing Policy.

### The Welfare of Staff

The Council is committed to following the correct process for dealing with any allegation against a member of staff, but it is also mindful of the welfare of that staff member and will provide appropriate help and support to them. Managers, in liaison with People and Policy, will offer any staff members appropriate advice and support.

## 11. Duty to Refer

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Under the Safeguarding Vulnerable Groups Act 2006, Rossendale Borough Council has a duty to refer an employee to the Disclosure and Barring Service (DBS) if it is believed there has been or is a risk of harm to an Adult while conducting regulated activity while in the employ of the Council.

The Council will use the following criteria to determine if a referral should be made:

The first condition is that permission has been withdrawn to engage in regulated activity, by either dismissal, redeployed, retired/redundant or resigned.

The second condition is that the Council thinks that the person has either: harmed or poses a risk of harm to an Adult; satisfied the harm test; or received a caution or conviction for a relevant offence.

If a referral is made to DBS, it will include details of the person we are referring, reason for the referral, chronology of events and supporting information such as witness statements, any past disciplinary actions, application for employment etc.

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## 12. Data Protection Act 1998

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The Council ensures that any personal data relating to the application of this policy will be obtained, processed and destroyed in line with the requirements of the Data Protection Act 1998.

## 13. Review of the Policy

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The policy will be reviewed every three years or as necessary to reflect changes in legislation, relevant Council decisions or any other developments which impact upon safeguarding.

## 14. Contacts and Communications

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### INTERNAL CONTACTS

#### Designated Safeguarding Officer

Clare Law, HR Manager ☎ 01706 252457 /07786 747352  
Room 209, The Business Centre, Futures Park, Bacup OL13 0BB  
✉ [clarelaw@rossendalebc.gov.uk](mailto:clarelaw@rossendalebc.gov.uk)

#### Deputy Designated Safeguarding Officer

Katie Gee, Media and Engagement Officer ☎ 01706 252454  
Room 209, The Business Centre, Futures Park, Bacup, Lancashire OL13 0BB  
✉ [katiegee@rossendalebc.gov.uk](mailto:katiegee@rossendalebc.gov.uk)

#### Strategic Safeguarding Lead

Stuart Sugarman, Chief Executive ☎ 01706 252447  
Room 218, The Business Centre, Futures Park, Bacup, Lancashire OL13 0BB  
✉ [stUARTSUGARMAN@rossendalebc.gov.uk](mailto:stUARTSUGARMAN@rossendalebc.gov.uk).

### EXTERNAL CONTACTS

#### Lancashire County Council Social Care Services – Safeguarding Adults

- 8am – 8pm Monday to Friday: local number ☎ 0300 123 6721
- 8pm – 8am Monday to Friday / weekends / bank holidays: ☎ 0300 123 6722

#### Lancashire Safeguarding Adults Board:

For info on the countywide approach and resources available

- Board Manager - Victoria Gibson – ☎ 01772 538352 / ✉ [Victoria.gibson.gov.uk](mailto:Victoria.gibson.gov.uk)

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## Other Useful National Websites and Guidance

Lancashire County Council – Safeguarding Adults

[http://www3.lancashire.gov.uk/corporate/web/?Safeguarding\\_adults\\_website/13624](http://www3.lancashire.gov.uk/corporate/web/?Safeguarding_adults_website/13624)

Safeguarding Vulnerable Groups Act 2006

<http://www.legislation.gov.uk/ukpga/2006/47/contents>

<https://www.gov.uk/government/organisations/disclosure-and-barring-service/about>

Safer Working Practices 2009 updated from earlier DCSF 2007

<http://www.childrenengland.org.uk/upload/Guidance%20.pdf>

Forced Marriage

<http://www.dcsf.gov.uk/everychildmatters/safeguardingandsocialcare/safeguardingchildren/forcedmarriage/forcedmarriage/>

The Disclosure and Barring Service

[www.homeoffice.gov.uk/dbs](http://www.homeoffice.gov.uk/dbs)

Barnardo's

[www.barnardos.org.uk](http://www.barnardos.org.uk)

ChildLine –

[www.childline.org.uk](http://www.childline.org.uk)

NSPCC

[www.nspcc.org.uk](http://www.nspcc.org.uk)

Cafcass

[www.cafcass.gov.uk](http://www.cafcass.gov.uk)

CEOP

<http://ceop.police.uk/>

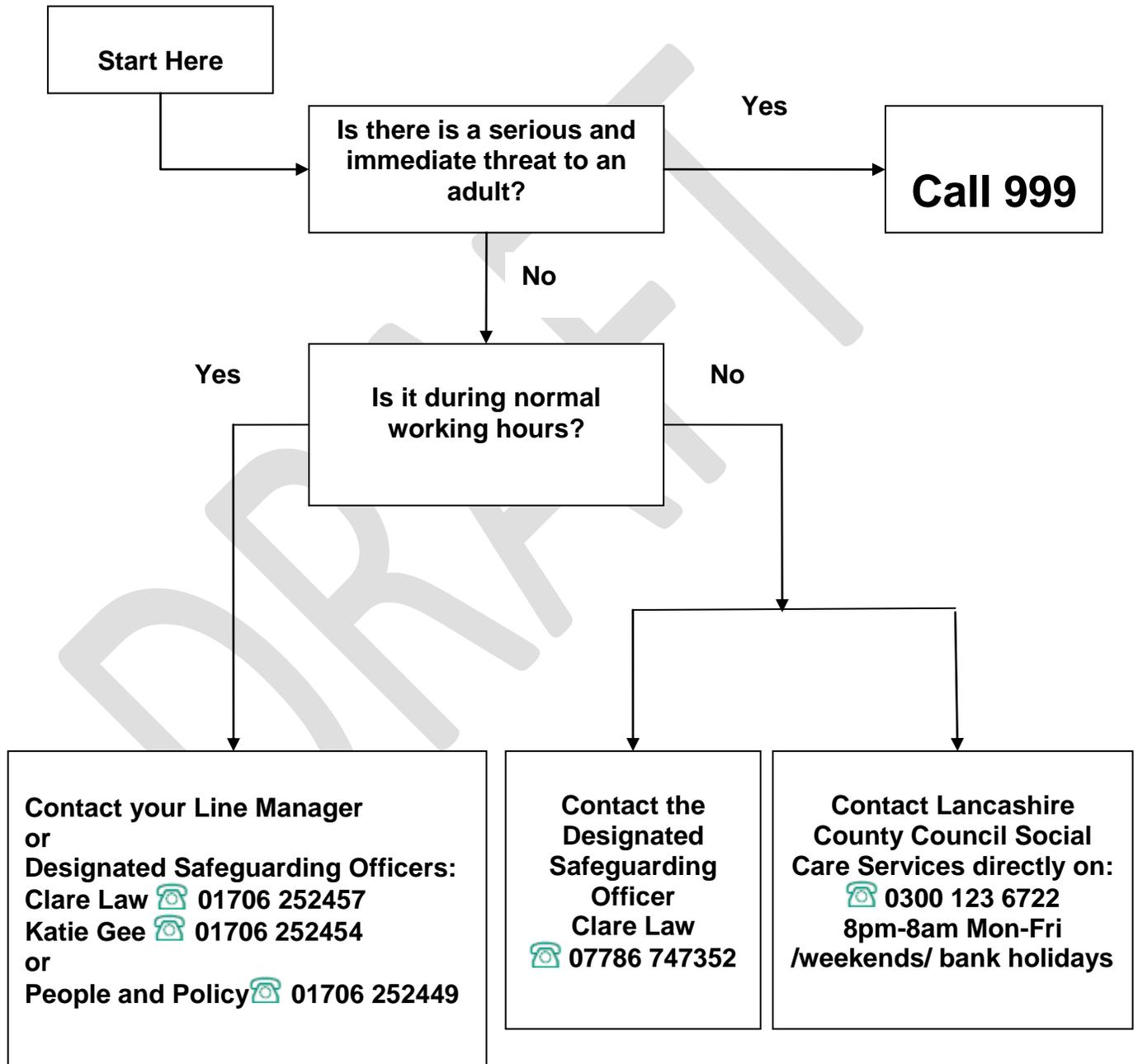
Care Quality Commission

<http://www.cqc.org.uk>

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# Taking Action

If an incident occurs or you have concerns please follow the flowchart below to understand what to:



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# APPENDIX A

## CHILD, YOUNG PERSON AND ADULT INCIDENT/REFERRAL FORM

Reference No: \_\_\_\_\_

<b>Name of Officer</b>
<b>Position</b>
<b>Date/Time</b>

<b><u>Child/Young Person/Vulnerable Adult Details</u></b>
<b>Name</b>
<b>Date of Birth</b>
<b>Address</b>
<b>Post Code</b>
<b>Telephone</b>

<b>Parents/guardians/carers (if different from above)</b>
<b>Address</b>
<b>Telephone</b>

<b>Date and Time of Incident</b>
----------------------------------

<b>Location</b>
-----------------

<b>Reasons for Concerns</b> (Give a clear and concise account of concerns, stating times and dates – attach additional sheets of paper if needed)
--

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DRAFT

**Has consideration been given to notifying parents/guardians/carers YES/NO**

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**Justification for above response**

**Print Parents/guardians/carers Name**

**Parents/guardians/carers Signature**

**Date**

**Print Your Name**

**Your Signature**

**Date**

**Action/Outcome of Initial Concern/Incident**

**Referral Made to**

**Support Offered**

**Your Signature**

**Print your name**

**Date**

.....

.....

.....

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**FULL EQUALITY IMPACT ASSESSMENT**

<b>Name of Policy, Decision, Strategy, Service or Function, Other: (please indicate)</b>	Adult Safeguarding Policy	
<b>Lead Officer Name(s):</b>	Clare Law	
<b>Job Title &amp; Location:</b>	HR Manager	
<b>Department/Service Area:</b>	People and Policy	
<b>Telephone &amp; E-mail Contact:</b>	01706 252457	
<b>Date Assessment:</b>	<b>Commenced:</b> 7 <sup>th</sup> September 2016	<b>Completed:</b> 20 <sup>th</sup> September 2016

We carry out Equality Impact Assessments (EIA) to analyse the effects of our decisions, policies or practices. The EIA should be undertaken/started at the beginning of the policy development process – before any decisions are made.

**1. OVERVIEW**

<b>The main aims/objectives of this policy<sup>1</sup> are:</b>
To provide all staff, volunteers and Councillors with a clear understanding of the issues around safeguarding including their responsibilities, the Council's processes and procedures, and what to do to report a safeguarding concern.

(Refer to "**EIA Guidance**" for details)

Is the policy or decision under review (please tick)

New/proposed

Modified/adapted

Existing

<b>The main intended people or groups that will be most affected by this policy are:</b>
All staff employed by the Council and Council service users.

(Refer to "**EIA Guidance**" for details)

<sup>1</sup> Policy refers to any policy, strategy, project, procedure, function, decision or delivery of service.

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## 2. FINDINGS / EVIDENCE

<b>FINDINGS/EVIDENCE: The following information/data has been considered in developing this policy/decision (including any consultation or engagement):</b>	
<b>Information/data obtained and/or Consultation/engagement carried out (please state who with)</b>	<b>What does this tell us? / What does it say?</b>
Care Act 2014	<p>The Care Act 2014 became law on the 14th May 2014. The Act creates a single law for Adult care and support, replacing more than a dozen different pieces of legislation.</p> <p>The Act introduces new duties and requirements of Local Authorities in a number of areas, including safeguarding Adults.</p> <p>The Act 2014 identifies a number of different types and patterns of abuse and neglect and the circumstances in which they may take place.</p>
Counter Terrorism Act 2015	The Counter Terrorism Act 2015 requires Local Authorities, in the exercise of its functions, to have due regard to the need to prevent people from being drawn into terrorism.
Social Care Institute for Excellence (SCIE)	The SCIE website was used as a resource to help develop the policy and consider best practice.
Consultation with other Local Authorities and Lancashire Social Care	Research and consultation has been undertaken with other Local Authorities to support best practice.
Consultation with Management Team and Portfolio Holder	Consultation has been undertaken with the Management Team and Portfolio Holder. No issues have been identified that suggest any adverse impact/possibility for discrimination.
Consultation with Trade Union The updated policy and guidance documents will be taken to JCC on 22 <sup>nd</sup> September 2016 for consultation with the Trade Union.	The updated Policy was taken to JCC on 22 <sup>nd</sup> September 2016 for consultation with the Trade Union. No comments were received.

*Add more/delete rows as required - See EIA Guidance*

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### 3. EQUALITY IMPACT

Using the table below please indicate whether the policy/strategy/decision has a positive, negative or no impact from an equalities perspective on any of the protected equality groups listed below. **Please also give consideration to wider equality of opportunity and community cohesion impacts within and between the groups identified.** See EIA Guidance

Equality		Positive Impact (It could benefit)	Negative Impact (It could disadvantage)	Reason and any mitigating actions already in place (to reduce any adverse /negative impacts or reasons why it will be of positive benefit or contribution)	No Impact
Age	Older people	<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>
	Younger people and children	<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>
Disability	Physical/learning/mental health	<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>
Gender Reassignment	Transsexual people	<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>
Pregnancy and Maternity		<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>
Race (Ethnicity or Nationality)	Asian or Asian British people	<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>
	Black or black British people	<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>
	Irish people	<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>
	White British	<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>
	Chinese people	<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>
	Gypsies & Travellers	<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>
	Other minority communities not listed above (please state)	<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>
Belief or Religion		<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>
Gender	Women	<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>
	Men	<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>
Sexual Orientation	gay men, gay women / lesbians, and bisexual people	<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>
Marriage and Civil Partnership (employment only)		<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>
Contribution to equality of opportunity		<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>
Contribution to fostering good relations between different groups (people getting on well together – valuing one another, respect and understanding)		<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>
Human Rights <a href="http://intranet/site/scripts/documents_info.php?categoryID=86&amp;documentID=251">http://intranet/site/scripts/documents_info.php?categoryID=86&amp;documentID=251</a>		<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>

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#### 4. OUTCOME OF EIA – COURSE OF ACTION TO BE TAKEN

What course of action does this EIA suggest you take? More than one of the following may apply	Please indicate
<b>Outcome 1: No major change required.</b> The EIA has not identified any potential for discrimination or adverse impact and all opportunities to promote equality have been taken.	<input checked="" type="checkbox"/>
<b>Outcome 2: Adjust the policy</b> to remove barriers identified by the EIA or better promote equality. Are you satisfied that the proposed adjustments will remove the barriers identified? If there is a negative impact identified, you must consider (and evidence/record) what mitigating actions you have or will put in place to reduce the negative impact where/if possible, and to enhance the positive impact. This might include any partnership discussions/working that needs to be undertaken. Complete EIA Action Plan as appropriate.	<input type="checkbox"/>
<b>Outcome 3: Continue the policy despite potential for negative impact</b> or missed opportunities to promote equality identified. You will need to ensure that the EIA clearly sets out the justifications for continuing with it. You should consider whether there are sufficient plans to reduce the negative impact and/or plans to monitor the actual impact. This might include any partnership discussions/working that needs to be undertaken. Complete EIA Action Plan as appropriate.	<input type="checkbox"/>
<b>Outcome 4: Stop and rethink</b> the policy when the EIA shows actual or potential unlawful discrimination or significant negative impact that can not be justified or mitigated against. <u>You must speak to Clare Law (2457)</u>	<input type="checkbox"/>

**If a negative impact as been identified and there are no sufficient mitigating actions in place or planned. Please see the guidance and you must speak to/ see advice from your Head of Service or Head of People and Policy.**

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## 5 . EIA ACTION PLAN & REVIEW

**Based on the impact assessment, findings/evidence and outcomes identified above, please complete the Action Plan below – these should be actions arising as a result of undertaking the EIA.**

The Action Plan should address (not exhaustively):-

- Any gaps in findings/evidence research including any consultation or engagement regarding the policy and its actual/potential affects.
- How you will address any gaps.
- What practical changes/action will help reduce any negative impacts that you have identified.
- What practical changes/action will help enhance any positive contributions to equality.

**Further Actions Required:** Yes  No

### EIA Action Plan

Issue	Action required	Lead officer	Timescale

Please add more rows if required.

***Actions arising from the Impact assessment should form part of the business planning process for service areas.***

### Monitoring & Reviewing the Effect of the Policy

Please state how you will monitor the impact and effect of this policy and where this will be reported:

No impact of the policy will continue to be monitored

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# Safeguarding Children and Young People

## Date of Issue

If you're worried about a child please use the flowchart on the back page to decide the correct course of action

Where there is a serious and immediate threat call **999**

Other formats are available.  
Please call 01706 217777 or  
visit our One Stop Shop at  
Futures Park, Bacup.

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# Safeguarding Children & Young People Policy

## Contents

- 1. Policy Statement
  - 2. Introduction
  - 3. Abuse and Neglect
  - 4. Spotting signs of abuse and neglect
  - 5. Reporting and responding to abuse and neglect
  - 6. What to do if you are worried about a child or young person
  - 7. Allegations of abuse against Staff, Councillors or Volunteers
  - 8. Recruitment
  - 9. Training
  - 10. Working with partners
  - 11. Prevent Duty
  - 12. Duty to refer
  - 13. Data Protection Act 1998
  - 14. Contacts
- Taking Action – Flow chart

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# 1. Policy Statement

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Rossendale Borough Council is committed to safeguarding and promoting the welfare of children and young people. The welfare of children and young people is paramount and is always the primary concern of the Council who recognise the need to ensure that all children and young people have a safe, healthy and happy life and get encouragement to do their best.

This policy and guidance will provide all staff, volunteers and Councillors with a clear understanding of the issues around safeguarding including their responsibilities, the Council's processes and procedures, and what to do to report a safeguarding concern.

The Council is committed to the following principles and actions:

- The Council will ensure that a protective safeguarding culture is in place and is actively promoted within the Council and will work together with other agencies to safeguard children and young people.
- The Council will implement procedures to safeguard children and young people and take all reasonable steps to ensure that all children and young people have a safe, healthy and happy life and get encouragement to do their best.
- The Council will have a Designated Safeguarding Officer and safeguarding contacts.
- The Council will have a safe recruitment and selection process, ensuring all relevant staff are DBS checked at the appropriate level.
- The Council will provide training to all employees, volunteers and Councillors at the appropriate level.
- The Council will communicate relevant information to employees, volunteers and Councillors via the Shared Area and staff handbook.
- All Council employees, volunteers and Councillors have a responsibility to report concerns of suspected abuse or poor practice.
- The Council will have an easily understandable reporting and monitoring system.
- The Council will take all incidents of poor practice and allegations or suspicions of abuse seriously and these will be responded to swiftly and appropriately.
- The Council will respond promptly to suspicions or allegations involving employees and appropriate disciplinary and appeals procedures will be implemented.
- The Council will work collaboratively with partner organisations/services.

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- Confidentiality shall be upheld in line with current Data Protection and Human Rights legislation

## 2. Introduction

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All children and young people (defined as people under the age of 18) have the right to be safe from harm and to be able to live and grow with confidence in their communities.

As a District Council we have a duty and responsibility to ensure the safeguarding of, and promotion of the welfare of, children and young people (as per the Children Act 2004, Section 11). This has been further defined by statutory guidance ("*Working Together to Safeguard Children*" - 2010) to mean:

- Protecting children from maltreatment;
- Preventing impairment of their health and development;
- Ensuring they are growing up in circumstances consistent with the provision of safe and effective care, and undertaking that role, so as to enable those children to have optimum life chances and to enter adulthood successfully.

There are certain Council services that will regularly deal directly with children, families and vulnerable people. Some of the work they do will be classed as 'regulated activity' by the government, such as unsupervised coaching of young people. These services and staff must operate in a manner that ensures the safety of all service users, and staff must receive training as appropriate, especially if they undertake regulated activity.

Other services will have little or no direct contact with children or young people. However, safeguarding is everybody's business and everyone has a duty to ensure children are safe and that abuse and neglect is reported. All staff at the Council must receive basic training on safeguarding to ensure they know what is meant by abuse and neglect and what to do if they have concerns. This includes knowing what to do outside of work as responsible citizens if they are concerned about the welfare of a child or young person.

The Council has an appointed **Strategic Safeguarding Lead – Stuart Sugarman, Chief Executive** responsible for the strategic lead and is supported by the appointed **Designated Safeguarding Officer (DSO) – Clare Law, HR Manager** who undertakes the operational lead on matters related to safeguarding children and young people within the Council.

The duties of the DSO include ensuring this Safeguarding Policy and any other relevant policies and procedures are up to date on behalf of the Council, ensuring staff are DBS checked, well informed and appropriately trained regarding safeguarding.

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As a Council we a need to ensure that robust safeguarding procedures are applied when entering into contracts and service level agreements. It is the responsibility of the officer managing the agreement to make sure that the organisation concerned has appropriate policies and procedures relating to safeguarding, and that their staff have relevant training and are Disclosure and Barring Service (DBS) checked where necessary.

### 3. Abuse and Neglect

---

The Council has a duty to ensure children and young people are protected from abuse and staff members are encouraged to report abuse should they suspect it is occurring.

There are four types of child abuse that we wish to safeguard against. They are defined in the UK Government guidance *Working Together to Safeguard Children 2010* (1.33 – 1.36) as follows:

**Physical abuse:** Physical abuse may involve 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 the symptoms of, or deliberately induces, illness in a child.

**Emotional abuse:** Emotional abuse is the persistent emotional maltreatment of a child such as to cause severe and persistent adverse effects on the child’s emotional development. It may involve conveying to children that they are worthless or unloved, inadequate, or valued only insofar as they meet the needs of another person. It may include not giving the child opportunities to express their views, deliberately silencing them or ‘making fun’ of what they say or how they communicate. It may feature age or developmentally inappropriate expectations being imposed on children. These may include interactions that are beyond the child’s developmental capability, as well as overprotection and limitation of exploration and learning, or preventing the child participating in normal social interaction. It may involve seeing or hearing the ill-treatment of another. It may involve serious bullying (including cyberbullying), causing children frequently to feel frightened or in danger, or the exploitation or corruption of children. Some level of emotional abuse is involved in all types of maltreatment of a child, though it may occur alone.

**Sexual abuse:** Sexual abuse involves forcing or enticing a child or young person to take part in sexual activities, not necessarily involving a high level of violence, whether or not the child is aware of what is happening. The activities may involve physical contact, non-contact activities, such as involving children in looking at, or in the production of, sexual images, watching sexual activities, encouraging children to behave in sexually inappropriate ways, or grooming a child in preparation for abuse (including via the internet). Sexual abuse is not solely perpetrated by adult males. Women can also commit acts of sexual abuse, as can other children. Sexual abuse covers penetrative sexual acts, sexual touching, masturbation and the misuse of sexual images – such as on the internet or by mobile phone.

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**Neglect:** Neglect is the persistent failure to meet a child’s basic physical and/or psychological needs, likely to result in the serious impairment of the child’s health or development. Neglect may occur during pregnancy as a result of maternal substance abuse. Once a child is born, neglect may involve a parent or carer failing to:

- provide adequate food, clothing and shelter (including exclusion from home or abandonment);
- protect a child from physical and emotional harm or danger;
- ensure adequate supervision (including the use of inadequate care-givers);
- ensure access to appropriate medical care or treatment.

It may also include neglect of, or unresponsiveness to, a child’s basic emotional needs

**Child Sexual Exploitation:** Child sexual exploitation of children and young people under 18 involves exploitative situations, contexts and relationships where young people (or a third person or persons) receive 'something' (e.g. food, accommodation, drugs, alcohol, cigarettes, affection, gifts, money) as a result of them performing, and/or another or others performing on them, sexual activities

People often think of child sexual exploitation in terms of serious organised crime, but it also covers abuse in relationships and may involve informal exchanges of sex for something a child wants or needs, such as accommodation, gifts, cigarettes or attention. Some children are "groomed" through "boyfriends" who then force the child or young person into having sex with friends or associates.

For more information please see:

**The full ‘Working Together to Safeguard Children’ document is available at <https://www.gov.uk/government/publications/working-together-to-safeguard-children--2>**

**The NSPCC website has some helpful information on signs and symptoms of abuse. <http://www.nspcc.org.uk/preventing-abuse/signs-symptoms-effects/>**

#### **4. Spotting Signs of Abuse and Neglect**

---

Workers across a wide range of organisations need to be vigilant about children and young people safeguarding concerns in all walks of life including, amongst others in health and social care, welfare, policing, banking, fire and rescue services and trading standards; leisure services, faith groups, and housing. GPs, in particular, are often well-placed to notice changes in an adult that may indicate they are being abused or neglected. The role of the public and

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the community should not be dismissed in that they also can play a part in identifying concerns.

Findings from Serious Case Reviews have sometimes stated that if professionals or other staff had acted upon their concerns or sought more information, then death or serious harm might have been prevented.

Anyone can witness or become aware of information suggesting that abuse and neglect is occurring. The matter may, for example, be raised by a worried neighbour, a concerned bank cashier, a GP, a welfare benefits officer, a housing support worker or a nurse on a ward.

Regardless of how the safeguarding concern is identified, everyone should understand what to do, and where to go locally to get help and advice. It is vital that professionals, other staff and members of the public are vigilant on behalf of those unable to protect themselves. This will include:

- Knowing about different types of abuse and neglect and their signs;
- Supporting adults to keep safe;
- Knowing who to tell about suspected abuse or neglect; and
- Supporting adults to think and weigh up the risks and benefits of different options when exercising choice and control.

Awareness campaigns for the general public and multi-agency training for all staff will contribute to achieving these objectives.

## 5. Reporting and Responding to Abuse and Neglect

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It is important to understand the circumstances of abuse, including the wider context such as whether others may be at risk of abuse, whether there is any emerging pattern of abuse, whether others have witnessed abuse and the role of family members and paid staff or professionals.

The circumstances surrounding any actual or suspected case of abuse or neglect will inform the response.

The nature and timing of the intervention and who is best placed to lead will be, in part, determined by the circumstances.

Early sharing of information is the key to providing an effective response where there are emerging concerns. No professional should assume that someone else will pass on information which they think may be critical to the safety and wellbeing of the child or young

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person. If a professional has concerns about the child or young person’s welfare and believes they are suffering or likely to suffer abuse or neglect, then they should share the information with the local authority and, or, the police if they believe or suspect that a crime has been committed.

## 6. What to do if you’re worried about a child or young person

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Follow the procedure on the flowchart which is on the back of this policy and the safeguarding concern form, to ensure the correct action takes place to deal with this disclosure.

**Where there is a serious and immediate threat:** call 999

If you are made aware of any instance of abuse, or have any concerns about it, it is important to note down the details in writing as soon as possible. This will help you to maintain a clear recollection of what happened and what was said, and will allow you to complete your referral form fully.

If you are acting in a professional capacity then you must also complete a Safeguarding Referral Form once you have taken appropriate action.

### What to do if a child or young person discloses abuse or other concerns directly to you

Children and young people often do not disclose abuse, and when they do it’s rarely directly to professionals. Partly this is due to lack of awareness of services, and partly to do with trust and a fear of losing control of a situation. Therefore it is very important that if a child or young person does disclose something to you, you should:

- Listen carefully
- Respond sensitively and take the matter seriously
- Make the child fully aware that you cannot ‘keep a secret’ and must disclose issues to the appropriate agency

Make a note of everything that was discussed as soon as possible after the disclosure. This can be done using the safeguarding referral form (**Appendix A**).

Alternative confidential support is available from the NSPCC Helpline Number – **0808 800 5000**.

## 7. Allegations of abuse against Staff, Councillors or Volunteers

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If an allegation of abuse is made against an employee, the DSO (or Strategic Safeguarding Lead if the concern is relating to the DSO) must be informed immediately, consideration will be

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given to suspending the employee from work or moving them to alternative duties not involving contact with adults at risk – in accordance with the Council’s Disciplinary Policy and Procedure.

Allegations of harm or inappropriate behaviour made against staff, either paid or unpaid, are serious and must be dealt with by the **Local Authority Designated Officer (LADO)**, a professional independent person who has been appointed by the Lancashire Safeguarding Adult Board.

The LADO is **Tim Booth** ☎ 01772 536694, ✉ [tim.booth@lancashire.gov.uk](mailto:tim.booth@lancashire.gov.uk)).

The LADO role includes:

- The management and oversight of individual cases.
- Providing advice and guidance to employers and voluntary organisations.
- Liaising with the police and other agencies.
- Monitoring the progress of cases to ensure that they are dealt with as quickly as possible, consistent with a thorough and fair process.

### **Guidance for staff on dealing with allegations of harm or inappropriate behaviour**

If someone (a child, parent, service user, fellow colleague, etc.) makes an allegation to you about another member of staff:

- Do NOT investigate yourself but speak to your line manager, your line manager will contact the DSO.
- The DSO will contact the LADO directly at the earliest available opportunity.
- The LADO will advise them on the correct course of action. Suspension of staff is not automatic and neither is an assumption of guilt. Each situation will need to be dealt with in a robust and sensitive manner.

If you have concerns about your line manager, the DSO, or anyone else that may make the above process inappropriate, please refer to the Council’s Whistle Blowing Policy.

### **The Welfare of Staff**

The Council is committed to following the correct process for dealing with any allegation against a member of staff, but it is also mindful of the welfare of that staff member and will

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provide appropriate help and support to them. Line managers, in liaison with People and Policy, will offer their staff members appropriate advice and support.

## 8. Recruitment

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As a Council we need to ensure that our practices and standards are consistent across all services in recruitment and selection of staff/volunteers that will be working with/having access to adults at risk.

The following points express the actions we will take during the recruitment and selection process to ensure this. They take into account the changes to the national vetting and barring scheme as per the 2012 Protection of Freedoms Act

- All posts will be assessed by the People and Policy Team to identify which posts will undertake regulated activity. Managers/service heads will be notified as appropriate.
- All advertising of regulated posts will be explicit in the need for Disclosure and Barring Service (DBS) clearance.
- DBS checks will be completed and refreshed as appropriate.
- Training needs will be identified and completed on the appropriate level of child protection, Common Assessment Framework (CAF) and other training sessions as relevant

### Work Experience for Young People

Individual services may offer work experience positions to young people as part of their ongoing education. People and Policy will advise whether any member of staff supervising young people needs to undertake a DBS check.

### Safe Working Practice for staff, volunteers and Councillors

It is important for all staff, paid or unpaid, and Councillors to behave correctly and to be positive role models for the children and young people who they come into contact with and prioritise their needs. In particular, anyone in regular, unsupervised contact with children and young people, or any other 'regulated activity' (as defined by the Protection of Freedoms Act 2012) must adhere to appropriate guidelines.

Relevant training will be provided to any staff member having regular contact with children and young people.

Managers must develop local policies and systems to maximise staff safety including the need to carry out risk assessments as appropriate. The following are common sense points for anyone to take into account which will help to create a positive culture and also protect staff against false allegations:

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- Act reasonably and treat all children and young people fairly and with respect.
- Maintain professional boundaries.
- Always work in an open environment, avoiding private or unobserved situations. For example, encourage the young person to bring in a friend, leave a door open, and inform colleagues where you are and how long you'll be.
- Do not give lifts to young people outside agreed activities. Where it is necessary to take a young person in your car ensure your manager is aware of this and how long you will be. Take a mobile phone to communicate reasons for any delays.
- Do not take young people to your home.
- If you have to visit a child or young person in their home always make sure that your manager is aware of this and you record the home visit.
- Do not develop social relationships with young people who are service users (including via social media).
- Do not accept or give money or gifts.
- Be aware of physical contact with a young person – any support or assistance should be provided openly and appropriately.
- If working with mixed gender groups of young people off site (on trips, at different venues) ensure there are always male and female staff with them unless previously agreed with the DSO.
- Do not smoke or drink alcohol in the presence of children and young people.

### **Photography and Video Footage**

In order to protect children and young people consent may be required from a parent or guardian before photographs or video can be taken by council staff or on council property.

For guidance contact:

Katie Gee, Media and Communications Officer

01706 252454

[katiegee@rossendalebc.gov.uk](mailto:katiegee@rossendalebc.gov.uk)

People and Policy

01706 252449

[peopleandpolicy@rossendalebc.gov.uk](mailto:peopleandpolicy@rossendalebc.gov.uk)

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For more information please see:

**NSPCC Advice and Guidance for organisations:**

<https://thecpsu.org.uk/help-advice/putting-safeguards-in-place>

**LSCB Safer Working Practices Guidance**

<http://www.lancshiresafeguarding.org.uk/resources/key-guidance-policy-documents.a>

## 9. Training

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All staff will be required to complete safeguard training as a statutory requirement, at a minimum this will be Level 1 Safeguard Awareness Training.

It is the responsibility of each service, in liaison with People and Policy, to make sure that all staff have received the appropriate level of training for them to be confident and competent when working with children and being able to recognise and respond to safeguarding concerns.

Refresher training will be completed every three years or following any changes to legislation.

### **Elected Members**

Basic Safeguarding Training will be offered on the 'Member Training Programme' for all Councillors

### **Specialist Training**

The Designated Safeguarding Officer will ensure relevant officers have access to relevant inter-agency and professional training opportunities to ensure they are able to effectively deal with a wide variety of queries and situations.

For more information please see:

**LSCB Training Unit**

<http://www.lancshiresafeguarding.org.uk/learningdevelopment.aspx>

## 10. Working with Partners

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There is a need for organisations to work together when it comes to safeguarding. Joined up services, common processes and procedures reduce the risk of vulnerable children 'falling through the net'. The following are key elements of partnership working around safeguarding:

**The Lancashire Safeguarding Children Board (LSCB)** ensures countywide priorities are achieved whilst at the same time taking account of local issues and priorities. The Children Act

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2004 puts this Board on a statutory footing, giving it legal responsibilities. It must ensure that all statutory agencies are working together to effectively safeguard children, providing procedures, guidance and advice and holding agencies to account if they are not meeting their safeguarding responsibilities effectively.

<http://www.lancshiresafeguarding.org.uk/>

**Lancashire Children and Young People’s Trust** and the **Children’s Partnership Board** at locality level (Hyndburn, Rossendale and Ribble Valley) formalise the need for organisations to work together. Joined up services, common processes and procedures should reduce the risk of vulnerable children ‘falling through the net’.

<http://www.lancashirechildrenstrust.org.uk/>

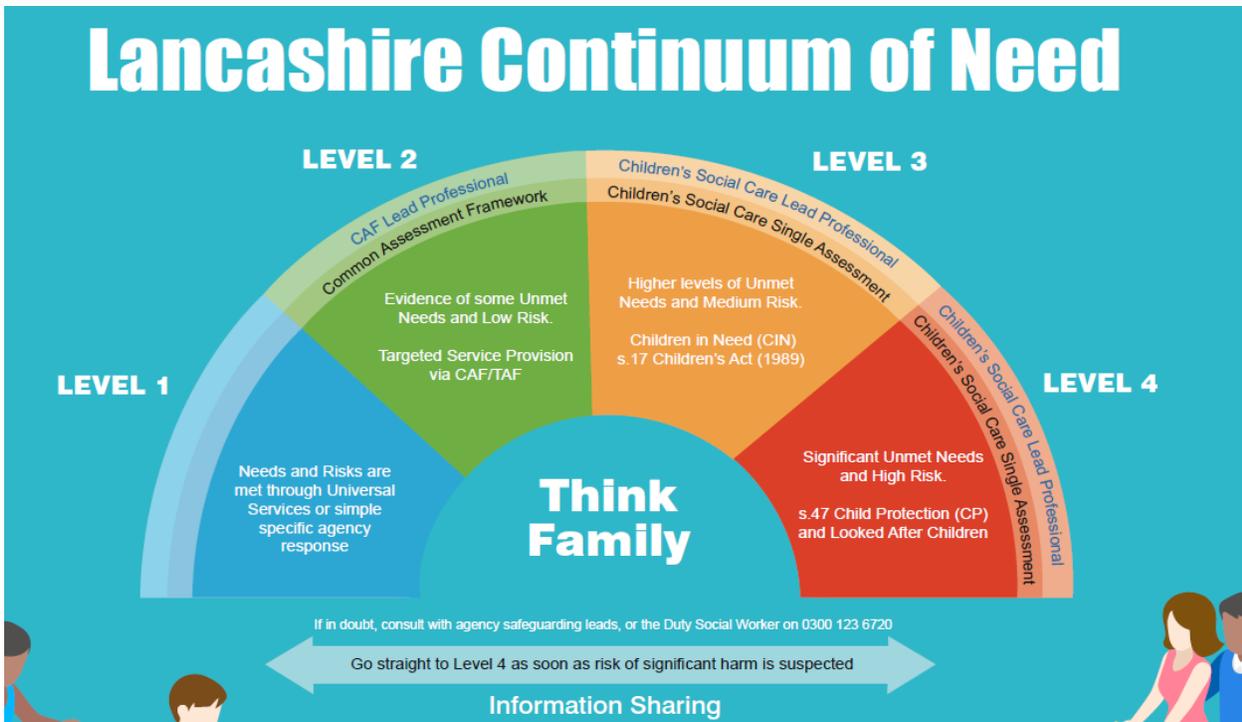
**The Lancashire Safeguarding Children Key Guidance & Policy Documents** provide multi-agency guidance for all organisations. This policy has been aligned with the key requirements of these procedures which are an excellent source of additional information, and should be accessed at the link below for further guidance about any safeguarding issue.

<http://www.lancshiresafeguarding.org.uk/resources/key-guidance-policy-documents.aspx>

**The Lancashire Continuum of Need:** the diagram below shows the ‘continuum of need’ that is used by partners to describe the level of need of intervention by statutory services that a child or a young person may have. Most will fall on the left of the diagram, with minor needs that can be met by standard services in health, education and so on. Should their situation worsen then they may need additional support (level 2) or perhaps assessment (level 3) by a statutory agency. Should they be in danger then they would immediately move to level 4 and require protection from the police or social care.

Children and young people can move back and forth along the continuum and council staff, volunteers of councillors may be involved at different levels. Whilst we have no duty to provide child protection (level 4) we may need to report an issue at this level to the appropriate place. More commonly our staff may be involved in multi-agency teams to support children and young people at stages 2 and 3.

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The Lancashire Continuum of Need and Threshold Guidance

<http://www.lancshiresafeguarding.org.uk/media/14679/4718-CON-A4-Booklet-single-pages.pdf>

### The Common Assessment Framework (CAF) and Lead Professionals.

Common Assessment Framework (CAF) and Lead Professionals are contributing elements for improved outcomes for children and young people and support the delivery of services that are integrated and focused around the needs of children and young people.

We have signed the 'declaration of acceptance' agreement to use the CAF.

CAF is a shared assessment tool for use across all children's services in England. It helps in the early identification of needs of children and young people and promotes a coordinated approach on how those needs should be met. Staff from any organisation in Lancashire can use the CAF process to decide whether action needs to be taken to support a child.

Contact the CAF Team at Lancashire County Council for further information at [caf@lancashire.gov.uk](mailto:caf@lancashire.gov.uk) or see the guidance in the links below.

The **Lead Professional** is someone who takes the lead to coordinate provision and be a single point of contact for a child/young person and their family, when a range of services are involved and an integrated response is required. They would be responsible for calling a **'team around the child (TAC) or team around the family (TAF)** meeting that would

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bring together all the relevant agencies working with a child or a family to reduce duplication and agree how best to provide the support required.

For more information please see:

**Lancashire Children and Young People's Trust - CAF information:**

<http://www.lancashirechildrenstrust.org.uk/resources/?siteid=6274&pageid=45056>

**The 'Safe Network' covers activities and good practice in the VCFS**

<http://www.safenetwork.org.uk>

## **6. Radicalisation**

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Radicalisation is comparable to other forms of exploitation, such as, grooming. The aim of radicalisation is to attract people to violent extremist's reasoning, inspire new recruits and embed their extreme views and persuade of the legitimacy of their case. This may be direct through a relationship, or through social media.

There are a number of factors that may make the Child or Young Person susceptible to exploitation by violent extremists. None of these factors should be considered in isolation but in conjunction with the particular circumstances of the individual.

### **Prevent**

Prevent is part of the Government's counter-terrorism strategy CONTEST and aims to provide support and re-direction to Child or Young Person of being groomed into terrorist activity before any crimes are committed.

The Prevent Strategy is one of the four elements of CONTEST, the National Counter Terrorism Strategy, covers all forms of extremism and has three strategic objectives:

- Respond to the ideological challenge of terrorism and the threat from those who promote it.
- Prevent people from being drawn into terrorism and ensure that they are given appropriate support.
- Work with sectors and institutions where there are risks of radicalisation that need to be addressed.

All staff will be required to attend Prevent Training as a statutory requirement, via a home office approved, training package called "Workshop to Raise Awareness around Prevent" (WRAP).

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## Reporting a Concern

If you have a concern you should follow the Council's safeguarding procedure, you should contact your line manager or the **Designated Safeguarding Officer (DSO) – Clare Law or the Police if there is an immediate risk** to refer into the Channel process.

Channel is a multi-agency safeguarding programme run in every local authority in England and Wales (Rossendale Borough Council's is chaired by Blackburn with Darwen Council). It works to support vulnerable people from being drawn into terrorism and provides a range of support such as mentoring, counselling, assistance with employment etc. Channel is about early intervention to protect Adults from being drawn into committing terrorist-related activity and addresses all types of extremism.

The purpose of Channel is to assess the nature and extent of the risk and develop the appropriate support plan for the child or young person concerned.

Participation in Channel is voluntary. It is up to the parents for young people aged 17 and under, to decide whether to take up the support it offers. Channel does not lead to a criminal record.

## 12. Duty to Refer

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Under the Safeguarding Vulnerable Groups Act 2006, Rossendale Borough Council has a duty to refer an employee to the Disclosure and Barring Service (DBS) if we believe there has been or is a risk of harm to child or young person while conducting regulated activity while in the employ of the Council.

We will use the following criteria to determine if a referral should be made:

The first condition is that permission has been withdrawn to engage in regulated activity, by either dismissal, redeployed, retired/redundant or resigned.

The second condition is that the local authority thinks that the person has either: harmed or poses a risk of harm to a child or vulnerable adult; satisfied the harm test; or received a caution or conviction for a relevant offence.

If a referral is made to DBS, it will include details of the person we are referring, reason for the referral, chronology of events and supporting information such as witness statements, any past disciplinary actions, application for employment etc.

For more information, please see: [Disclosure and Barring Service \(DBS\)](#)

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## 13. Data Protection Act 1998

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The Council ensures that any personal data relating to the application of this policy will be obtained, processed and destroyed in line with the requirements of the Data Protection Act 1998.

## 14. Contacts

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### INTERNAL CONTACTS

#### Designated Safeguarding Officer –

Clare Law, HR Manager ☎ 01706 252457 /07786 747352  
Room 209, The Business Centre, Futures Park, Bacup OL13 0BB

✉ [clarelaw@rossendalebc.gov.uk](mailto:clarelaw@rossendalebc.gov.uk)

#### Deputy Designated Safeguarding Officer –

Katie Gee, Media and Engagement Officer ☎ 01706 252454  
Room 209, The Business Centre, Futures Park, Bacup, Lancashire OL13 0BB

✉ [katiegee@rossendalebc.gov.uk](mailto:katiegee@rossendalebc.gov.uk)

#### Strategic Safeguarding Lead -

Stuart Sugarman, Chief Executive ☎ 01706 252447  
Room 218, The Business Centre, Futures Park, Bacup, Lancashire OL13 0BB

✉ [stUARTSUGARMAN@rossendalebc.gov.uk](mailto:stUARTSUGARMAN@rossendalebc.gov.uk)

### EXTERNAL CONTACTS

#### Lancashire County Council Social Care Services – Safeguarding Adults

- 8am–8pm Monday to Friday: local number ☎ 0300 123 6721
- 8pm–8am Monday to Friday / weekends / bank holidays: ☎ 0300 123 6722

**Local Authority Designated Officer (LADO):** for allegations against adults working with children and young people:

Tim Booth - ☎ 01772 536694 / ✉ [tim.booth@lancashire.gov.uk](mailto:tim.booth@lancashire.gov.uk)

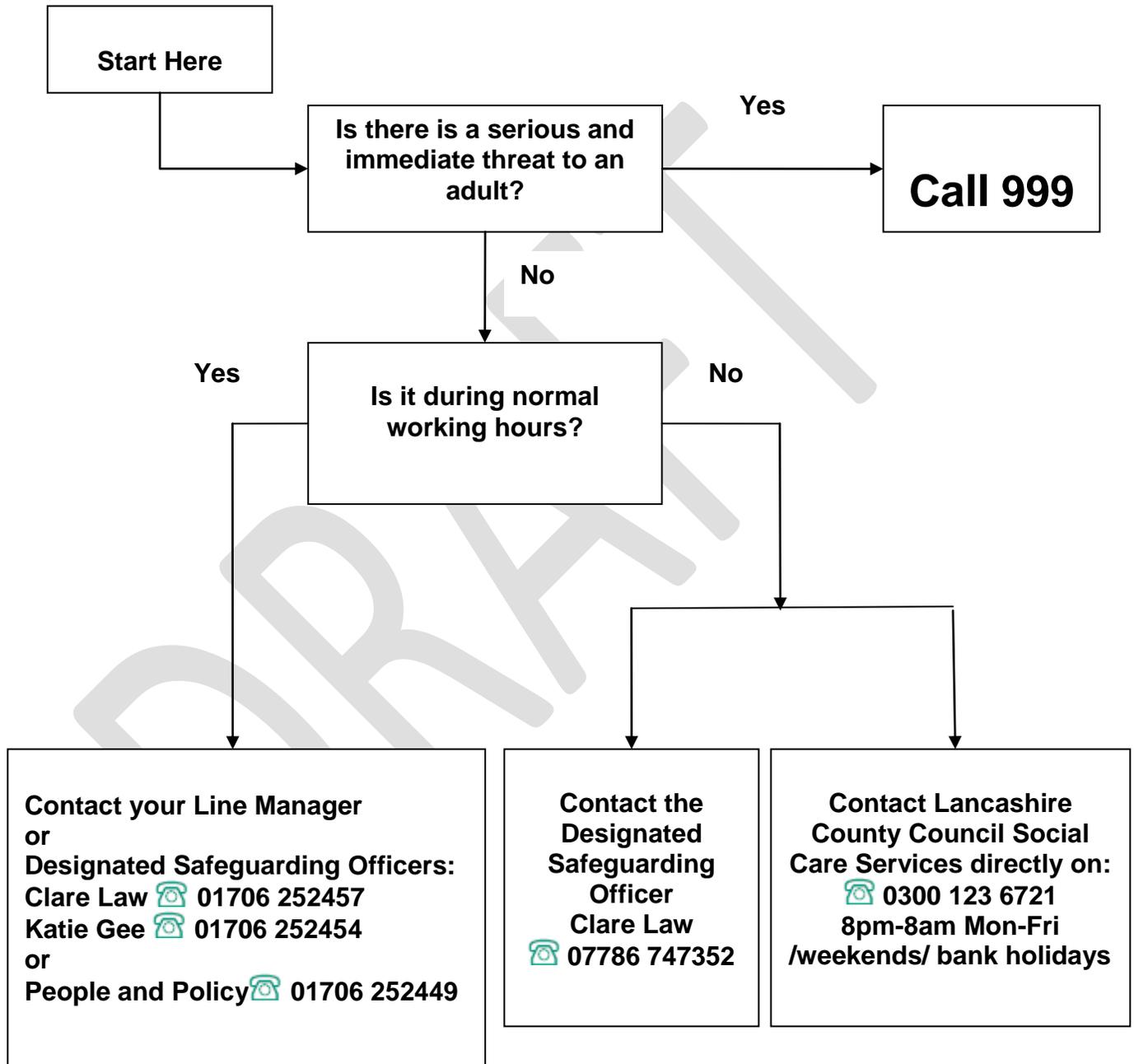
**Lancashire Safeguarding Children’s Board:** for info on the countywide approach and resources available:

Board Manager - Victoria Gibson – ☎ 01772 538352/Victoria.gibson.gov.uk  
[http://www3.lancashire.gov.uk/corporate/web/?Safeguarding\\_adults\\_website/13624](http://www3.lancashire.gov.uk/corporate/web/?Safeguarding_adults_website/13624)

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# Taking Action

If an incident occurs or you have concerns please follow the flowchart below to understand what to do:



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# APPENDIX A

## CHILD, YOUNG PERSON AND VULNERABLE ADULT

### INCIDENT/REFERRAL FORM

Reference No: \_\_\_\_\_

<b>Name of Officer</b>
<b>Position</b>
<b>Date/Time</b>

<b><u>Child/Young Person/Vulnerable Adult Details</u></b>
<b>Name</b>
<b>Date of Birth</b>
<b>Address</b>
<b>Post Code</b>
<b>Telephone</b>

<b>Parents/guardians/carers (if different from above)</b>
<b>Address</b>
<b>Telephone</b>

<b>Date and Time of Incident</b>
----------------------------------

<b>Location</b>
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<b>Reasons for Concerns</b> (Give a clear and concise account of concerns, stating times and dates – attach additional sheets of paper if needed)
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Has consideration been given to notifying parents/guardians/carers YES/NO

Justification for above response

Print Parents/guardians/carers Name

Parents/guardians/carers Signature

Date

Print Your Name

Your Signature

Date

Action/Outcome of Initial Concern/Incident

Referral Made to

Support Offered

Signature of Responsible Officer (or Service Head) and date

Your Signature

Print your name

Date

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**FULL EQUALITY IMPACT ASSESSMENT**

<b>Name of Policy, Decision, Strategy, Service or Function, Other: (please indicate)</b>	Child and Young People Safeguarding Procedure	
<b>Lead Officer Name(s):</b>	Clare Law	
<b>Job Title &amp; Location:</b>	HR Manager	
<b>Department/Service Area:</b>	People and Policy	
<b>Telephone &amp; E-mail Contact:</b>	01706 252457	
<b>Date Assessment:</b>	<b>Commenced:</b> 21st August 2016	<b>Completed:</b> 14 <sup>th</sup> September 2016

**We carry out Equality Impact Assessments (EIA) to analyse the effects of our decisions, policies or practices. The EIA should be undertaken/started at the beginning of the policy development process – before any decisions are made.**

**1. OVERVIEW**

<b>The main aims/objectives of this policy<sup>1</sup> are:</b>
To provide all staff, volunteers and Councillors with a clear understanding of the issues around safeguarding including their responsibilities, the Council's processes and procedures, and what to do to report a safeguarding concern.

(Refer to "**EIA Guidance**" for details)

Is the policy or decision under review (please tick)

New/proposed

Modified/adapted

Existing

<b>The main intended people or groups that will be most affected by this policy are:</b>
All staff employed by the Council and Council service users.

(Refer to "**EIA Guidance**" for details)

<sup>1</sup> Policy refers to any policy, strategy, project, procedure, function, decision or delivery of service.

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## 2. FINDINGS / EVIDENCE

<b>FINDINGS/EVIDENCE: The following information/data has been considered in developing this policy/decision (including any consultation or engagement):</b>	
<b>Information/data obtained and/or Consultation/engagement carried out (please state who with)</b>	<b>What does this tell us? / What does it say?</b>
The Lancashire Continuum of Need (CON) which was refreshed in July 2016	<b>The CON</b> provides guidance on assessment and planning procedures at each level to meet or prevent the escalation of need or support de-escalation from statutory services. It supports practitioners in determining how their service can best support and work with families.
Working Together With Families is designed to reduce the number of services working with families and so reduce the duplication, cost and long term dependence on services.	The overall aim of WTWF is to secure: <ul style="list-style-type: none"> <li>• Improved intelligence about families at risk</li> <li>• Earlier support where issues are identified</li> <li>• Better information sharing across organisations</li> <li>• Fewer professionals involved with families</li> <li>• Reduced number of families 'not coping' or 'just coping'</li> <li>• Culture change within and across organisations about working <i>with</i> families.</li> </ul>
Consultation with Lancashire Social Care and other Local Authorities	Research and consultation has been undertaken with other Local Authorities to support best practice.
Consultation with Management Team and Portfolio Holder	Consultation has been undertaken with the Management Team and Portfolio Holder. No issues have been identified that suggest any adverse impact/possibility for discrimination.
Consultation with Trade Union The updated policy and guidance documents will be taken to JCC on 22 <sup>nd</sup> September 2016 for consultation with the Trade Union.	The updated Policy was taken to JCC on 22 <sup>nd</sup> September 2016 for consultation with the Trade Union. No comments were received.

Add more/delete rows as required - See **EIA Guidance**

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### 3. EQUALITY IMPACT

Using the table below please indicate whether the policy/strategy/decision has a positive, negative or no impact from an equalities perspective on any of the protected equality groups listed below. **Please also give consideration to wider equality of opportunity and community cohesion impacts within and between the groups identified.** See EIA Guidance

Equality		Positive Impact (It could benefit)	Negative Impact (It could disadvantage)	Reason and any mitigating actions already in place (to reduce any adverse /negative impacts or reasons why it will be of positive benefit or contribution)	No Impact
Age	Older people	<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>
	Younger people and children	<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>
Disability	Physical/learning/mental health	<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>
Gender Reassignment	Transsexual people	<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>
Pregnancy and Maternity		<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>
Race (Ethnicity or Nationality)	Asian or Asian British people	<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>
	Black or black British people	<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>
	Irish people	<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>
	White British	<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>
	Chinese people	<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>
	Gypsies & Travellers	<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>
	Other minority communities not listed above (please state)	<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>
Belief or Religion		<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>
Gender	Women	<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>
	Men	<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>
Sexual Orientation	gay men, gay women / lesbians, and bisexual people	<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>
Marriage and Civil Partnership (employment only)		<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>
Contribution to equality of opportunity		<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>
Contribution to fostering good relations between different groups (people getting on well together – valuing one another, respect and understanding)		<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>
Human Rights <a href="http://intranet/site/scripts/documents_info.php?categoryID=86&amp;documentID=251">http://intranet/site/scripts/documents_info.php?categoryID=86&amp;documentID=251</a>		<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>

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#### 4. OUTCOME OF EIA – COURSE OF ACTION TO BE TAKEN

What course of action does this EIA suggest you take? More than one of the following may apply	Please indicate
<b>Outcome 1: No major change required.</b> The EIA has not identified any potential for discrimination or adverse impact and all opportunities to promote equality have been taken.	<input checked="" type="checkbox"/>
<b>Outcome 2: Adjust the policy</b> to remove barriers identified by the EIA or better promote equality. Are you satisfied that the proposed adjustments will remove the barriers identified? If there is a negative impact identified, you must consider (and evidence/record) what mitigating actions you have or will put in place to reduce the negative impact where/if possible, and to enhance the positive impact. This might include any partnership discussions/working that needs to be undertaken. Complete EIA Action Plan as appropriate.	<input type="checkbox"/>
<b>Outcome 3: Continue the policy despite potential for negative impact</b> or missed opportunities to promote equality identified. You will need to ensure that the EIA clearly sets out the justifications for continuing with it. You should consider whether there are sufficient plans to reduce the negative impact and/or plans to monitor the actual impact. This might include any partnership discussions/working that needs to be undertaken. Complete EIA Action Plan as appropriate.	<input type="checkbox"/>
<b>Outcome 4: Stop and rethink</b> the policy when the EIA shows actual or potential unlawful discrimination or significant negative impact that can not be justified or mitigated against. <u>You must speak to Clare Law (2457)</u>	<input type="checkbox"/>

**If a negative impact as been identified and there are no sufficient mitigating actions in place or planned. Please see the guidance and you must speak to/ see advice from your Head of Service or Head of People and Policy.**

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## 5 . EIA ACTION PLAN & REVIEW

**Based on the impact assessment, findings/evidence and outcomes identified above, please complete the Action Plan below – these should be actions arising as a result of undertaking the EIA.**

The Action Plan should address (not exhaustively):-

- Any gaps in findings/evidence research including any consultation or engagement regarding the policy and its actual/potential affects.
- How you will address any gaps.
- What practical changes/action will help reduce any negative impacts that you have identified.
- What practical changes/action will help enhance any positive contributions to equality.

**Further Actions Required:** Yes  No

### EIA Action Plan

Issue	Action required	Lead officer	Timescale

Please add more rows if required.

***Actions arising from the Impact assessment should form part of the business planning process for service areas.***

### Monitoring & Reviewing the Effect of the Policy

Please state how you will monitor the impact and effect of this policy and where this will be reported:

No impact of the policy will continue to be monitored

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