

Council Report

Cabinet and Commissioners' Decision Making Meeting - 11 July 2016

Title

Corporate Safeguarding Policy

Is this a Key Decision and has it been included on the Forward Plan?

Non-Key Decision, included on Forward Plan for decision on 11th July or later

Director Approving Submission of the Report

Sharon Kemp, Chief Executive

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Ward(s) Affected

All

Executive Summary

1. As part of the wider work being undertaken by the Council to improve understanding of its safeguarding duties and responsibilities, a new Corporate Safeguarding Policy has been produced.
2. The Corporate Safeguarding Policy is part of a new suite of documents which will underpin the Council's 2016/17 Corporate Plan. The policy sets out the Council's commitment to promoting safeguarding across the whole organisation and describes the roles and responsibilities expected of every employee and specific services, as well as elected members. The policy will act as a resource for all employees working for the Council and all Councillors; supporting understanding of what safeguarding means and what to do in relation to safeguarding concerns.
3. Enclosed at Appendix A for members' consideration and agreement is a copy of the Corporate Safeguarding Policy.

Recommendations

Cabinet is asked to:

- Endorse the Corporate Safeguarding Policy (attached at Appendix A) prior to formal agreement by Council on 13 July 2016.

List of Appendices Included

Appendix A – Corporate Safeguarding Policy

Background Papers/Information

Children Act 2004

Statutory Guidance 2007 on S11 of the Children Act

Care Act 2014

Consideration by any other Council Committee, Scrutiny or Advisory Panel

Pre-scrutiny consideration (1st July 2016).

Council Approval Required

Yes

Exempt from the Press and Public

No

Title (Main report)

Corporate Safeguarding Policy

1. Recommendations

- 1.1 Endorse the Corporate Safeguarding Policy (attached at Appendix A) prior to formal agreement by Council on 13 July 2016.

2. Background

- 2.1 Activity has been taking place since early 2016 to improve the understanding of safeguarding duties and responsibilities of the Council across all of its activities and service areas. This work was partly triggered by an independent audit of the Council's and other partners' compliance with Section 11 of the Children Act 2014 ("S11 audit") commissioned by the Rotherham Local Safeguarding Children Board; and partly by work on safeguarding adults recently undertaken by adult social care, using an external expert to review arrangements in adult social care in relation to regulations in the Care Act 2014.
- 2.2 The outcome of the audit and review described above resulted in a corporate safeguarding action plan being developed, based on the recommendations made by the independent experts. The action plan - which includes actions in relation to senior management commitment to safeguarding, ensuring accountabilities are clear and understood, that there are clear procedures in place for commissioning and procuring services, that responsibilities of all staff are communicated effectively across the organisation and there is appropriate training in place - was developed and continues to be monitored on a monthly basis by a Corporate Safeguarding Working Group, made up of officers across the organisation and chaired by the Chief Executive.
- 2.3 A key component of the action plan, and improving understanding of safeguarding across the Council, was the development of a new Corporate Safeguarding Policy, which is presented at Appendix A.

3. Key issues

Corporate Safeguarding Policy

- 3.1 The Corporate Safeguarding Policy has been developed as a means to articulate how safeguarding is the responsibility of all services across the Council, not just those that work directly with children and vulnerable people. It will be part of a new suite of documents which will underpin how the Council works to deliver its new Corporate Plan for 2016-17, which will be considered at the Council meeting on 13 July. The policy specifically describes the duty placed on the Council to safeguard all children, young people and adults within the borough. It sets out the Council's vision for safeguarding across the whole organisation and describes the roles and responsibilities expected of every employee and service; as well as the role of elected members.
- 3.2 The policy is not intended to replace existing, specific and statutory arrangements already in place in relation to the safeguarding of children and

adults. The two Rotherham safeguarding boards - Local Safeguarding Children Board and Adult Safeguarding Board - will continue to act as the forums for safeguarding issues in the borough, and will continue to produce their annual reports and strategies as is required of them by the Children Act 2004 and Care Act 2014. The Corporate Safeguarding Policy has been produced to set out the duty of the Council as a whole organisation, making clear the responsibilities at all levels, regardless of their area of work; as well as how specific services such as human resources, commissioning and procurement will support the Council to deliver its safeguarding duties. The policy has been developed in consultation with key officers across the Council, including the heads of adult and children's safeguarding, to ensure this document compliments existing procedures and supports a broader understanding of safeguarding across the Council.

- 3.3 The policy will also act as a resource for all employees working for the Council, as well as elected members, in supporting their understanding of what safeguarding means, what their responsibilities are and what to do in relation to safeguarding concerns.

Monitoring and reporting progress

- 3.4 It is intended that the Corporate Safeguarding Policy will be reviewed annually or sooner if required, by the Corporate Safeguarding Working Group, chaired by the Chief Executive. This will include an on-going review of guidance, both nationally and locally, to ensure the Council meets requirements to safeguard children, young people and adults, and there are appropriate procedures and protocols in place. It is proposed this review is reported to Cabinet on an annual basis as part of the Council's performance management framework process, or by exception if there are national or local changes to legislation, governance or specific issues of concern.
- 3.5 It is also suggested that the Council's scrutiny function should have a role in monitoring and challenging the Corporate Safeguarding Policy at appropriate points, and the work and performance of the Corporate Safeguarding Working Group. It may be sensible to integrate this reporting where appropriate with existing arrangements for the Safeguarding Children Annual Report and Safeguarding Adults Annual Report to be submitted to Cabinet, scrutiny and the Health and Wellbeing Board, which will continue; and which will also be shared with the Corporate Safeguarding Working Group to help ensure the Corporate Safeguarding Policy remains fit for purpose and aligned to local practice.

Performance management

- 3.7 As part of the on-going implementation and review of the corporate safeguarding agenda, the action plan overseen by the Corporate Safeguarding Group will continue to be developed, supported by a performance management framework to ensure progress is monitored effectively. Key indicators will include the following:
- Improved staff awareness of safeguarding
 - Number of safeguarding referrals by non-specialist teams (suggesting there is a wider awareness of safeguarding which is being acted upon appropriately when required)

- Safeguarding policies and procedures in place and understood across the organisation
- All job descriptions include safeguarding as a responsibility for all staff
- Timely and appropriate completion of the Section 11 audit across all relevant sections of the Council

3.8 The Corporate Safeguarding Working Group will receive regular updates in relation to the performance indicators; and regular updates will also be provided to the two safeguarding boards as required, and on no less than a quarterly basis (unless the board specifies otherwise).

4. Options considered and recommended proposal

4.1 It is recommended that the Corporate Safeguarding Policy is endorsed by Cabinet before being presented to Council on 13 July for formal agreement.

4.2 There is no requirement for an authority to adopt a Corporate Safeguarding Policy, beyond its specific children's and adult safeguarding responsibilities. Indeed, while other examples exist, there are relatively few corporate policies in other parts of local government, given the concept has emerged only since the development of a stronger adult safeguarding agenda following the introduction of the Care Act in 2014. Nevertheless, it is recommended that Rotherham Council should formally adopt such a corporate policy, as it will emphasise and promote the fact that safeguarding is the business of all Council services, not only those working directly with children and vulnerable people.

5. Consultation

5.1 The Corporate Safeguarding Policy has been developed in consultation with officers across the Council, including heads of safeguarding in children's and adult social care, legal services, human resources, finance, communications, procurement, commissioning, performance and policy.

5.2 In addition, consultation and awareness-raising on corporate safeguarding responsibilities also took place via a programme of staff briefings with the new Chief Executive and Leader of the Council between January and March this year. This engaged, in person, with around 900 members of staff across the organisation; and was supplemented by case study-based briefings with 'M3' (middle) managers, promotion of key messages in 'Friday email briefings', and also featured in the '*Take Five*' publication aimed at Council staff without routine access to a personal computer (PC).

5.3 Furthermore, a network of safeguarding 'champions' within each Council directorate is being established to help further ensure an ongoing focus on corporate safeguarding issues and to promote enhanced understanding and support available for services, led by the professional safeguarding officer leads within adult and children's social care.

6. Timetable and accountability for implementing this decision

6.1 Following approval, it is proposed that the policy itself is reviewed at least annually, while performance in relation to the wider work of corporate

safeguarding is reported on an ongoing basis to the Corporate Safeguarding Working group, chaired by the Chief Executive. As noted above, it is also proposed that Cabinet is updated on corporate safeguarding issues on at least an annual basis (paragraph 3.4); with a role also envisaged for the Council's scrutiny function (paragraph 3.5).

- 6.2 The implementation of the new policy will also be supported by a further internal communications campaign from the point that it is adopted. This will include e-learning packages for staff and wider promotional material to those without routine access to a PC. Tailored awareness-raising amongst elected members is also being arranged. The ways that safeguarding responsibilities are reflected in employee job descriptions, performance management and service business planning are also being enhanced via the implementation of the action plan overseen by the Chief Executive's Corporate Working Group.

7. Financial and procurement implications

- 7.1 There are no direct costs associated with the implementation of the Corporate Safeguarding Policy. The activity and responsibilities it promotes will be delivered via existing resources.
- 7.2 Specific implications for the Council's procurement and commissioning functions are described within the policy document, which sets out the responsibilities of these services in ensuring safeguarding principles are embedded for all contracts. Specifically, the policy makes clear that those contractors or volunteers that work with or are commissioned to undertake activity on behalf of the Council are made subject to the same safeguarding responsibilities as directly employed members of staff.

8. Legal implications

- 8.1 The Corporate Safeguarding Policy sets out the legal requirements and duty placed on the Council to ensure the safeguarding of all children, young people and adults.
- 8.2 More detail on the legal requirements can be found within the policy, with the headline relevant legislation comprising the following:
- Care Act 2014
 - Children's Act 2004
 - Children and Families Act 2014

10. Implications for partners and other directorates

- 10.1 Key statutory partners also have a duty to safeguard and promote the welfare of children, young people and adults, in the way same as the Council. This is described in more detail, including having a shared responsibility and joint-working arrangements, within the Corporate Safeguarding Policy. The two Rotherham safeguarding boards work to promote understanding across these partnerships, share learning and help ensure consistency across the public agencies working with people across the borough.

11. Equalities and human rights implications

11.1 Rotherham Council is under a duty to promote equality and diversity in all the work it does and services it delivers. The Corporate Safeguarding Policy is closely aligned to a new Equality and Diversity Policy for the Council, which is also due to be presented to Council on 13 July for agreement. Both of these new policies promote a greater understanding and awareness of key duties across all Council services, so that they can be more responsive to the needs of Rotherham's local communities, particularly those most vulnerable and in need of help and support.

12. Implications for Children and Young People and Vulnerable Adults

12.1 The Corporate Safeguarding Policy further supports existing, targeted safeguarding policies and procedures focused on children, young people and adults, as set out in the legislation noted in section 8 above.

13. Risks and mitigation

13.1 The Corporate Safeguarding Policy further supports the Council to meet its statutory obligations in the safeguarding of all children, young people and adults by ensuring that services across the entire Council are aware of roles and responsibilities; and further promotes awareness and understanding amongst elected members.

13.2 Not having appropriate, clear policies and procedures in place, or having a good understanding of safeguarding within the organisation, could put children, young people and adults at risk across the borough.

13.3 There is also a risk that, without ongoing focus, the policy once adopted may not have the desired impact in helping to improve all services' understanding of their safeguarding roles and responsibilities, ultimately helping to make Rotherham a safer, more welcoming borough. However, the governance arrangements noted within this report, which include the Corporate Working Group chaired by the Chief Executive, ongoing safeguarding action plan and proactive communication campaign, will help to ensure senior leadership oversight and drive for this work. Future reporting to Cabinet, scrutiny and the Rotherham safeguarding boards will also further help ensure a robust focus on the long term impacts of this new policy.

14. Accountable officer(s)

Sharon Kemp, Chief Executive

Approvals obtained from:

Strategic Director of Finance and Corporate Services: Stuart Booth

Director of Legal Services: Dermot Pearson

Head of Procurement (if appropriate): Helen Chambers

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