

# Rotherham MBC Corporate Safeguarding Policy [children, young people and adults]

## 1. Policy statement

Rotherham Council believes that every child, young person and adult, regardless of their background, age, culture, sexual orientation, gender identity, disability, ethnicity or religious belief, should be able to participate in a safe society without any fear, violence, abuse, bullying, discrimination or exploitation.

Safeguarding is everyone's business and everyone at the Council shares a responsibility, both corporately and individually, to ensure that every person is treated with dignity and respect and protected from others who may abuse them. All Council employees, elected members, contractors and volunteers, particularly those who come into contact with, or who share information about, children, young people or adults in the course of their work - but not exclusively so - have a duty of care to safeguard and promote the welfare of the most vulnerable people in Rotherham, young or old.

Procedures and good practice will be developed within the Council to ensure that every service and employee can demonstrate that they understand their duty to safeguard and promote the welfare of children, young people and adults

The Council will have an ongoing focus on providing evidence to show how this Safeguarding Policy is being implemented, monitored and reviewed, both within the Council and within multi-agency working arrangements.

## 2. Policy objectives

This policy will operate as a framework for every service in the Council and define the roles and responsibilities for all employees, managers, elected members and volunteers in the safeguarding of children, young people and adults.

Rotherham Council will:

- Promote safeguarding as everybody's business; ensuring all employees, managers, elected members and volunteers understand their roles and responsibilities for safeguarding and are supported to develop and maintain this understanding.
- Implement clear procedures and protocols to ensure it meets its obligations towards the safeguarding of children, young people and adults.
- Ensure clear overall accountability for safeguarding exists for services.
- Provide assurance to members of the public, service users, elected members, employees, partners and people working on behalf of the Council that there are arrangements in place to safeguard and protect children, young people and adults.
- Ensure services are planned and delivered in a way which seeks to safeguard children, young people and adults; and employees are able to conduct themselves safely.
- Ensure local services work together where appropriate around the safeguarding needs of children, young people or adults, and that they are actively involved in developing and evaluating the services which are provided for them.
- Invest in preventative and early intervention services and endeavour to avoid situations where abuse or harm may occur.
- Ensure the Council and partner organisations, in relation to multi-agency working arrangements, have a shared understanding of the duty to safeguard.

### 3. Background and context

Safeguarding is everyone's business and all staff who have direct or indirect contact with children, young people and adults, or who have access to information about them, have a responsibility to safeguard and promote their welfare.

Beyond this, the Council, as an organisation, has a duty to make appropriate arrangements to safeguard and promote the welfare of children, young people and adults across all of its activities. Government guidance makes it clear that safeguarding is a shared responsibility, and depends upon effective joint working between agencies and professionals that have different roles and expertise.

This is a joint, corporate policy, reflecting the fact that there are similarities in many of the actions needed to safeguard children, young people and adults. However the Council recognises there are also distinct differences and these too are reflected in the policy and supporting guidance; as well as the relevant specific policies and procedures within adult and children and young people's social care.

#### 3.1 Links to Rotherham Council Corporate Plan

The Corporate Plan details the Council's priorities for the year ahead. The Corporate Safeguarding Policy, as well as making clear the Council's duty to safeguard and promote the wellbeing of children, young people and adults, will also help contribute to achieving a number of the Corporate Plan objectives, in particular:

- **Priority - Every child making the best start in life**  
*Outcome: Children, young people and families are protected and safeguarded from all forms of abuse, violence and neglect*
- **Priority - Every adult secure, responsible and empowered**  
*Outcome: Individuals and carers are supported to be safe, independent and resilient within a personalised model of care and support*
- **Priority - A strong community in a clean, safe environment**  
*Objective: Communities are strong and people feel safe*

#### 3.2 Rotherham: a child-centred borough

The Council is committed to making Rotherham a "child-centred borough" and therefore will combine its resources to support every child the best it can and provide them with the best start in life. In achieving this ambition, the Council has agreed a number of outcomes which will contribute towards all children, young people and adults being able to participate in a safe society:

- Rotherham recognised as a great place for families to bring up children and see young people safe into adulthood
- An environment with exciting, challenging, schools, colleges and access to higher education, where teachers want to teach, students want to learn and young people are full of ambition and aspiration
- A place where vulnerable adults are respected and play a full part in the life of Rotherham
- The Council accepting and acknowledging its past history with child sexual exploitation, has tackled its past, and robustly and effectively dealing with current cases.

*(from "Rotherham Improvement Plan 'A Fresh Start'" 2015)*

### 3.3 What is meant by abuse

This section considers the different types and patterns of abuse and neglect. The list is taken from examples in the Care Act 2014 and the Children Act 2004. It is not intended to be an exhaustive list but an illustrative guide as to the sort of behaviour which could give rise to safeguarding concerns.

Incidents of abuse may be one-off or multiple, and affect one person or more. Professionals and others should also look beyond single incidents or individuals to identify patterns of harm.

- **Physical abuse** – such as assault, misuse of medication, restraint and inappropriate physical sanctions.
- **Domestic violence** – such as psychological, physical, sexual and financial abuse.
- **Sexual abuse** – such as rape, assault, sexual harassment, exploitation, sexual photography, and sexual acts to which the adult has not consented or was pressured into consenting.
- **Psychological or emotional abuse** – such as threats of harm or abandonment, humiliation, intimidation, verbal abuse, cyber bullying and isolation
- **Financial or material abuse** – such as theft, fraud, internet scamming and coercion in relation to an adult's financial affairs
- **Modern slavery** – such as human trafficking, forced labour and domestic servitude.
- **Discriminatory abuse** – such as harassment because of race, gender, age, disability, sexual orientation or religion.
- **Threat from terrorism** – the Council has a duty under the Counter-terrorism and Security Act 2015 to have 'due regard to the need to prevent people from being drawn into terrorism'.

### 4. Safeguarding children and young people

Definition: *"A child is anyone who has not yet reached their 18<sup>th</sup> birthday. 'Children' therefore means 'children and young people' throughout. The fact that a child has reached 16 years of age, is living independently or is in further education, is a member of the armed forces, is in hospital or in custody in the secure estate for children and young people, does not change his or her status or entitlement to services or protection under the Children Act 2004."* (Working Together to Safeguard Children 2015).

Whilst local authorities and care professionals play a lead role, safeguarding children and protecting them from harm is everyone's responsibility. Everyone who comes into contact with children and families has a role to play. Section 11 of the Children Act 2004 places duties on a range of organisations and individuals to ensure their functions and any services they contract out to others are discharged having regard to the need to safeguard and promote the welfare of children.

The local authority's duties in relation to the safeguarding of children in its area include:

- The duty to investigate actual or likely significant harm to a child\*
- Responsibility to intervene to safeguard and protect children who have suffered or are likely to suffer significant harm\*\*
- Provide services to prevent the impairment of a child's health and wellbeing.

(\*Children Act 1989, \*\*Working Together to Safeguarding Children 2015)

## 4.1 Rotherham local safeguarding children board

The Local Safeguarding Children Board (LSCB) does not commission or deliver direct frontline services, though they may provide training. While LSCBs do not have the power to direct other organisations they do have a role in making clear where improvement is needed. Each board partner retains its own existing line of accountability for safeguarding.

LSCBs have a responsibility to:

- Coordinate the work of all agencies represented on the board for the purposes of safeguarding and promoting the welfare of children in the area, and assess whether partners are fulfilling their statutory obligations set out in statutory guidance
- Ensure the effectiveness of what is done by each such person or body for those purposes
- Develop policies and procedures for safeguarding and promoting the welfare of children in the area of the authority
- Communicate the need to safeguard and promote the welfare of children
- Participate in the planning of services for children in the area, and assess the effectiveness of the help being provided to children and families

## 5. Safeguarding adults

Section 42 of the Care Act 2014 places a duty on local authorities to safeguard adults. This duty applies where a local authority has reasonable cause to suspect that an adult in its area (whether or not ordinarily resident there):

- Has needs for care and support (whether or not the authority is meeting any of those needs)
- Is experiencing, or is at risk of, abuse or neglect, and
- As a result of the care and support needs is unable to protect himself or herself against the abuse or neglect or the risk of it.

The local authority must make whatever enquiries it thinks necessary to enable it to decide whether any action should be taken in the adult's case and, if so, what and by whom.

### 5.1 Safeguarding Adults Board

The overarching purpose of the Safeguarding Adults Board (SAB) is to help and safeguard adults with care and support needs. It does this by: assuring itself that local safeguarding arrangements are in place as defined by the Care Act 2014 and statutory guidance, assuring itself that safeguarding practice is person-centred and outcome-focused, working collaboratively to prevent abuse and neglect where possible, ensuring agencies and individuals give timely and proportionate responses when abuse or neglect have occurred, assuring itself that safeguarding practice is continuously improving and enhancing the quality of life of adults in its area.

The SAB must lead adult safeguarding arrangements across its locality and oversee and coordinate the effectiveness of the safeguarding work of its member and partner agencies. SABs have three core duties. They must:

- develop and publish a strategic plan setting out how they will meet their objectives and how their member and partner agencies will contribute
- publish an annual report detailing how effective their work has been
- commission safeguarding adults reviews (SARs) for any cases which meet the criteria for these.

## 6. Equality and diversity

Councils are under a duty to promote equality and diversity in the work they do and services they deliver. In Rotherham, this means we will:

- Work to provide an environment for everyone that is free from discrimination, harassment and violence
- Encourage and support people to be active in community life, volunteering and local decision making
- Work to build a strong, cohesive community where people from different backgrounds develop positive relationships
- Encourage other organisations to adopt similar policies on fairness, equality and diversity, including those that provide goods and services on behalf of the Council
- Celebrate the diversity of people within the Rotherham area.

*([Draft] Rotherham Equality and Diversity Policy, 2016)*

## 7. Corporate responsibilities for safeguarding

Every service within the Council has a role to play and has to take full ownership of their safeguarding responsibilities. Particular employees will have specific roles in relation to safeguarding; notwithstanding this, every employee has an obligation to safeguard and take action when required to ensure children, young people and adults are helped and protected. This section clarifies the various roles across the Council, at different levels.

**Rotherham Council** will ensure highest standards of safe recruitment, supervision and management of staff, particularly, but not exclusively those working directly with children, young people or adults, or those who have access to information about them.

The Council will support all staff to understand their roles and responsibilities for safeguarding, through appropriate training, information sharing and guidance on what to do if there are concerns.

**The Chief Executive** has the Council's overarching responsibility for ensuring that there are effective safeguarding arrangements for children, young people and adults - that there are policies and procedures in place; that they are implemented with effective corporate governance arrangements; and that all statutory requirements are met.

**The Director of Children's Services and Lead Member for Children's Services** are the key points of professional and political accountability with responsibility for the effective safeguarding of children and young people (*"Working Together to Safeguard Children"*, 2014).

**The Director of Adult Social Services**, as chief officer for the leading adult safeguarding agency, has a particularly important leadership and challenge role to play in adult safeguarding. They are responsible for promoting prevention, early intervention and partnership working, which is critical in the development of effective safeguarding.

**Human Resources (HR)** will ensure appropriate and up-to-date policies are in place in relation to safer recruitment practices, including criminal records checks and verification of references. Specifically HR will:

- Annually review and update these policies to reflect children, young people and vulnerable adults protection needs
- Ensure job profiles include the duty to safeguard within Council competencies
- Oversee staff disciplinary investigations if any concerns, disclosures or allegations of abuse by a staff member are made in conjunction with the Council's LADO (Local Authority Designated Officer) procedures
- Ensure robust procedures are in place for undertaking the relevant checks which form part of the recruitment and selection process e.g. criminal records, right to work etc.
- Make arrangements for general safeguarding training to be available for all groups of employees.

**Line managers** will:

- Ensure they fully understand the safeguarding policy and all other policies which have a direct link
- Ensure all staff in their area receive appropriate safeguarding information and training commensurate with the responsibilities of their role
- Ensure safeguarding responsibilities are highlighted during team meetings, supervision sessions and performance and development reviews
- Ensure they encourage staff to contribute to discussions about safeguarding and positively involve them in developing safe practices where appropriate
- Ensure they adhere to the safer recruitment guidance/procedures and that appropriate checks are undertaken
- Ensure any concerns reported to them regarding safeguarding issues are passed to the relevant team/individual for action.

**All staff (including volunteers and contractors)** will:

- Ensure they are fully aware of their duty to safeguard and promote the welfare of children, young people and adults
- Ensure they promote good practice by being an excellent role model
- Ensure they undertake any awareness raising/training appropriate to the level and responsibilities of their role
- Ensure they raise concerns or allegations of abuse and neglect without delay to the relevant team/officer or if unsure of the process that they inform their line manager
- Ensure they act in a way which protects them against false allegations of abuse as far as possible in accordance with this policy.

## **Elected Members**

All elected members have an important part to play to ensure that the Council is discharging its statutory responsibilities and its services to safeguard vulnerable children, young people and adults. All elected members will receive training which will include how to identify and report safeguarding concerns within the appropriate levels of confidentiality.

There are a number of different roles elected members can take, depending on their area of responsibility. When they are elected, all Councillors take on the role of 'corporate parent' to children looked after by their local authority and have a duty to take an interest in the wellbeing and development of those children, as if they were their own. Others such as the Lead Member for Children's Services have a role defined in legislation.

Overview and scrutiny offers a key way in which Councillors can fulfil their safeguarding responsibility, by giving them the opportunity to ask searching questions of a range of service providers and assure themselves that safeguarding processes are working properly.

There is a comprehensive induction programme offered to new members to introduce them to their responsibilities, as well as an ongoing commitment to elected member development and support. All members of the Council are encouraged to attend so they are familiar and confident in their roles.

Member induction and support includes sessions on:

- Children's safeguarding (including countering child sexual exploitation)
- Corporate parenting
- Safeguarding adults

Members with different roles will have tailored support in line with any additional responsibilities.

### **Safeguarding Champions**

The Council is committed to raising awareness and promoting the responsibility of all staff to help safeguard children and adults. For this purpose, a number of 'Safeguarding champions' have been drawn from across the whole organisation to work collectively and individually in their own services to promote the safeguarding agenda, learn from each other, disseminate good practice and improve understanding.

The safeguarding champions' network is led by the principal social workers/safeguarding leads for adults and children's social care. [For more information see annex, 'safeguarding champion's network' terms of reference.]

### **7.1 Working with partners**

Good inter-agency and multi-disciplinary working is promoted and maintained both within the Council and with other organisations. This will be achieved by:

- Ensuring that the Local Safeguarding Children Board and Safeguarding Adult Board are provided with appropriate support to carry out their duties in partnership with other local organisations in Rotherham.
- Ensuring a positive and shared understanding of the duty to safeguard and promote the wellbeing of children, young people and adults at across all partner organisations, through appropriate policies.
- Information is shared effectively and efficiently in respect of issues that may affect the safety and welfare of children, young people and adults and clear protocols are in place to ensure that information is shared appropriately and safely.
- Ensuring the Council has a network of trained, accessible safeguarding champions to support staff to raise concerns

### **7.2 The Council's Confidential Reporting Code**

This code provides the means to raise matters of concern regarding safeguarding issues related to the work environment. It is intended to encourage and enable employees to raise serious concerns within the Council which are in the public interest and makes it

clear that employees can come forward and express their concerns without fear of victimisation, discrimination or disadvantage. If an employee has a concern which they believe it is in the public interest to raise, they may do so either in writing or verbally with the Director of Legal and Democratic Services, Human Resources or the Chief Executive (although specific safeguarding concerns must also be raised via the channels referenced in this policy).

### **7.3 Recruitment and selection**

In order to ensure that children, young people and adults are protected, the Council will make sure that all staff and volunteers are carefully selected, screened, trained and supervised. In particular the Council will ensure that the following checks are satisfactorily completed before a person takes up a position within the Council:

- Check the applicant is who they claim to be - e.g. having sight of an applicant's birth certificate, passport and/or driving licence
- Check the applicant has the right to work in the UK
- Check the applicant's academic qualifications are genuine
- Check that satisfactory professional and character references have been received and verified for the applicant
- Check the applicant's previous employment history has been examined and any gaps have been satisfactorily accounted for
- Check a criminal records check at the right level has been undertaken
- Check the applicant is registered with the relevant professional body and there are no active restrictions against them (where applicable).

This also applies to agency workers who will be working or coming into contact with children, young people and vulnerable adults.

### **7.4 Induction and Training**

- All new members of staff will receive induction training which should include how to identify and report safeguarding concerns within the appropriate levels of confidentiality.
- All staff will be expected to undertake awareness raising/training on safeguarding children and vulnerable adults at a level appropriate to their role
- All staff will undertake refresher training when required i.e. following discussion with their line manager
- All managers who participate in recruitment and selection will have undertaken the appropriate training. For those working with children, young people and vulnerable adults this should also include the safer recruitment element. Refreshers should be completed when required i.e. following discussion with their line manager.

### **7.5 Commissioning and procurement**

Each commissioned service should know how to record, report and escalate current issues around safeguarding and follow up issues to ensure they have been resolved. Each service should be committed to safeguarding in all aspects of its work, promoting the welfare of children, young people and vulnerable adults. All staff and volunteers must share this commitment, be trained in all aspects of safeguarding legislation and practice as well as having good links with local safeguarding boards.



The Council will ensure that all relevant commissioned services have a safeguarding policy in place, and that service specifications include a section on safeguarding and a requirement to be compliant with Section 11 of the Children Act 2004, where this is required.

Procurement and commissioning will ensure that safeguarding principals are embedded for all contracts, especially those who come into contact with children, young people, and adults.

## **8. What to do if you have a concern**

Any member of staff with concerns regarding the safety of an individual, or the behaviour of colleagues towards a child or adult should contact the appropriate department:

**If a child or adult is in immediate danger 999 should be used to contact the emergency services.**

**For adult safeguarding issues contact Assessment Direct on 01709 822330**

**For children's safeguarding issues contact MASH (the Multi Agency Safeguarding Hub) on 01709 336080**

## **9. Implementation, monitoring and review of this policy**

The Corporate Safeguarding Policy will be reviewed annually or sooner if required, by the Corporate Safeguarding Working Group and supported by the safeguarding champions. 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.

The Council's Corporate Plan priorities will be reported to cabinet, which will include a range of specific priorities and objectives which this policy will contribute to.

The Council's scrutiny function will also have a role in scrutinising and challenging the Corporate Safeguarding Policy, and the work and performance of the Corporate Safeguarding Working Group. The Safeguarding Children Annual Report and Safeguarding Adults Annual Report will be submitted to cabinet, scrutiny and the Health and Wellbeing Board and to the Corporate Safeguarding Working Group for information.

## **10. Performance management framework**

As part of the on-going implementation and review of the corporate safeguarding agenda, an ongoing plan and performance management framework will be developed to sit underneath this policy, monitored by the Corporate Safeguarding Working Group and supported by the safeguarding champions.

Key indicators will likely include:

- Improved staff awareness of safeguarding
- Number of referrals by non-specialist teams
- 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
- All relevant corporate strategies and plans consider safeguarding responsibilities e.g. the Corporate Plan and supporting service business plans address safeguarding responsibilities through the Council's performance management framework

#### **11. National legislation and guidance documents**

- Section 42 of the Care Act 2014 (adults)
- Working Together to Safeguard Children 2015
- Children's Act 2004 – section 11 audit – reflecting on what we need to improve
- Children and Families Act 2014