



MEETING : LOCAL JOINT PANEL
VENUE : COUNCIL CHAMBER, WALLFIELDS, HERTFORD
DATE : WEDNESDAY 26 MARCH, 2014
TIME : 2.30 PM

MEMBERS OF THE PANEL

EMPLOYER'S SIDE:

Councillors M Alexander, L Haysey, A Jackson and J Thornton

Substitute:

Conservative

J Ranger

Group of Independents:

STAFF SIDE – UNISON (2 VACANCIES)

Mr A Stevenson (Chairman) and Mr S Ellis

Substitutes: S Gray and J Francis

(Note: Substitution arrangements must be notified by the absent Member to Democratic Services 24 hours before the meeting)

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DISCLOSABLE PECUNIARY INTERESTS

1. A Member, present at a meeting of the Authority, or any committee, sub-committee, joint committee or joint sub-committee of the Authority, with a Disclosable Pecuniary Interest (DPI) in any matter to be considered or being considered at a meeting:
 - must not participate in any discussion of the matter at the meeting;
 - must not participate in any vote taken on the matter at the meeting;
 - must disclose the interest to the meeting, whether registered or not, subject to the provisions of section 32 of the Localism Act 2011;
 - if the interest is not registered and is not the subject of a pending notification, must notify the Monitoring Officer of the interest within 28 days;
 - must leave the room while any discussion or voting takes place.

2. A DPI is an interest of a Member or their partner (which means spouse or civil partner, a person with whom they are living as husband or wife, or a person with whom they are living as if they were civil partners) within the descriptions as defined in the Localism Act 2011.

3. The Authority may grant a Member dispensation, but only in limited circumstances, to enable him/her to participate and vote on a matter in which they have a DPI.

4. It is a criminal offence to:

- fail to disclose a disclosable pecuniary interest at a meeting if it is not on the register;
- fail to notify the Monitoring Officer, within 28 days, of a DPI that is not on the register that a Member disclosed to a meeting;
- participate in any discussion or vote on a matter in which a Member has a DPI;
- knowingly or recklessly provide information that is false or misleading in notifying the Monitoring Officer of a DPI or in disclosing such interest to a meeting.

(Note: The criminal penalties available to a court are to impose a fine not exceeding level 5 on the standard scale and disqualification from being a councillor for up to 5 years.)

AGENDA

1. Apologies

To receive apologies for absence.

2. Minutes (Pages 5 - 12)

To confirm the Minutes of the meeting held on 3 December 2013

3. Chairman's Announcements

4. Declarations of Interest

To receive any member's Declarations of Interest.

5. Report by Secretary to the Employer's Side

(A) Safeguarding Children and Vulnerable Adults Policy (Pages 13 - 30)

6. Reports by Secretary to the Staff Side

7. Urgent Business

To consider such other business as, in the opinion of the Chairman of the meeting, is of sufficient urgency to warrant consideration and is not likely to involve the disclosure of exempt information.

MINUTES OF A MEETING OF THE
LOCAL JOINT PANEL HELD IN THE
COUNCIL CHAMBER, WALLFIELDS,
HERTFORD ON TUESDAY 3 DECEMBER
2013, AT 2.30 PM

PRESENT: **Employer's Side**

Councillors M Alexander, L Haysey, A Jackson
and J Thornton

Staff Side (UNISON)

Andy Stevenson (Chairman)
Mr S Ellis and J Francis

ALSO PRESENT:

Councillors J Ranger

OFFICERS IN ATTENDANCE:

| | |
|-----------------------|---|
| Glenda Bennett | - Interim Head of People and Property |
| Lorraine Blackburn | - Democratic Services Officer |
| Adele Taylor | - Director of Finance and Support Services |

14 **RESPONSE TO UNISON ON LOCAL AWARD**

The Secretary to the Employer's Side submitted a report setting out possible options following a request by UNISON to permanently suspend further planned reductions in the local award and its impact on staff, the detail of which was set out in the report now submitted.

The Secretary to the Employer's Side explained that she had reviewed the arrangements in a number of other Council across Hertfordshire. She explained that

Hertsmere staff had benefited from a 2% pay increase and that staff in Broxbourne earning less than £35,000 had been paid £300.

Councillor A Jackson stated that there was a need to show empathy during challenging times but reminded the Panel of the need to also take account of the Council's Medium Term Financial Plan (MTFP). He commented that the Panel should not be making any decision which would impact negatively on the Council's need to manage its finances.

Councillor Jackson added that there was merit in recognising that in the medium term, option 5.2 (amending the reduction in the local award to 0.5%) and 5.4 (changes in terms and conditions), the detail of which was set out in the report now submitted, could be explored further and that savings might be achieved by a review of Terms and Conditions but that this needed to be balanced against the requirements of the MTFP.

The background to the loyalty / retention bonus was discussed. Councillor J Ranger reminded the Panel that the bonus was not part of employees' contractual pay and that this should be mentioned in any future offer letter of employment. The Director of Finance and Support Services stated that this was current practice.

In reviewing the options further, Councillor A Jackson reminded the Panel that it could recommend the removal of the discretionary award. UNISON reminded the Panel of the impact this would have on morale. Councillor Jackson stated that he was trying to find a way which was manageable.

UNISON referred to the inequity of arrangements in terms of working with new people who were benefitting from the recent 1% pay increase. The Director of Finance and Support Services reminded the Panel that everyone received a 1% pay rise but that those who were eligible for the local award were paid a 4% discretionary bonus instead of 5%.

Councillor A Jackson reiterated the need to show empathy during challenging times but reminded the Panel of the need to also take account of the Council's Medium Term Financial Plan (MTFP). He recognised the merit of exploring options 5.2 and 5.4, and that savings might be achieved by a review of Terms and Conditions but that this needed to be balanced against the requirements of the MTFP. The Panel supported a decision to recommend this approach to Human Resources Committee.

RECOMMENDED - that (A) in the medium term, option 5.2 (amending the reduction in the local award to 0.5%) be explored further; and

(B) the impact of the above be explored via a review of terms of conditions (option 5.4) in order to address the need to make savings of £46,000 each year in the MTFP.

15 MINUTES

Councillor J Thornton apologised for not submitting his apologies for the meeting.

RESOLVED – that the Minutes of the meeting held on 21 October 2013 be approved as a correct record and signed by the Chairman.

16 EXPENSES POLICY REVIEW

The Secretary to the Employer's Side submitted a report setting out the key changes on the revised Expenses Policy, the detail of which was set out in the report now submitted and supporting Essential Reference Papers. The Secretary to the Employer's Side reminded the Panel that a review of the policy had been requested by Human Resources Committee (HR) at its last meeting, to ensure that all employees were in line with other Councils and were paid at HM Revenues and Customs rates.

The Chairman expressed concern that UNISON had not had

an opportunity to fully consider the content of the report nor the chance to discuss the revisions with UNISON's Executive. He suggested that the report be deferred so that UNISON could review the implications of the report. The Chairman also suggested that Officers review the timetable for the submission of reports to both the Panel and HR Committee.

Councillor A Jackson stated that if the Panel could not consider and recommend approval of the report, then this would delay its submission to HR Committee. He referred to the need for the Council to ensure that it functioned in an efficient manner.

To facilitate debate, the Director of Finance and Support Services referred to a previous precedent used by the Panel. She suggested that the policy be considered by the Panel then submitted to Human Resources Committee subject to both sides resolving any anomalies in advance of the meeting. In the event that issues could not be resolved, then the policy would be referred back to Local Joint Panel for further consideration.

The Chairman acknowledged the way forward and stated that UNISON would like the opportunity to discuss the matter with their Regional Advisor. He reminded Members that his role on UNISON was as a volunteer and that he had other roles to fulfil and reiterated his concerns about the Panel's timetable for the consideration of reports. Councillor A Jackson reiterated the need for the Council's business to be moved along efficiently.

After being put to the meeting, there being an equality of votes, a recommendation by the Chairman to defer the report remained on the table. The Chairman requested a short adjournment so that he could consider the suggested precedent with other UNISON Members. This was supported.

The meeting reconvened and the Chairman, on behalf of UNISON, reiterated his concerns on having insufficient time to consider the content of the report and asked that in future, Officers ensure that sufficient time was allowed between the submission of reports to the Panel and Human Resources

Committee. The Director of Finance and Support Services reminded the Panel that HR Committee had asked for the report and were keen to have a rigorous review of policies.

UNISON requested that tracked changes to future policies would help the review process.

The Secretary to the Employer's Side provided a summary of the changes which had been made in order to comply with HMRC rates. She stated that the proposed change of 45p per mile would apply to all East Herts employees claiming business mileage and had been revised to remove the separation of "in District" and "out of District" mileage. In response to a query from UNISON regarding what savings the Council would achieve, the Secretary to the Employer's Side explained that this would depend on how tax returns were completed and on the individual's personal circumstances.

Councillor A Jackson suggested that the Petty Cash Claim form be amended with the inclusion of words and numerals. This was supported.

In response to a query from Councillor M Alexander regarding how this would affect the joint working arrangements, the Director of Finance and Support Services provided an update. The Secretary to the Employer's Side confirmed that there was no change to the subsistence rates and that this was set by the National Joint Council.

The Panel supported the suggestion that the Expenses Policy review policy be submitted to Human Resources Committee, subject to both sides resolving any anomalies in advance of the meeting. In the event that issues could not be resolved then the policy would be referred back to Local Joint Panel for further consideration.

RESOLVED – that the Expenses Policy be submitted to Human Resources Committee, subject to both sides resolving any anomalies in advance of the meeting. In the event that issues could not be resolved, then the policy be referred back to the Local Joint Panel for further consideration.

17 HOME WORKING POLICY

The Secretary to the Employer's Side submitted a report recommending a minor amendment to the Home Working Policy to ensure that home workers provided a phone number to their line manager so they could be contacted. The revised Home Working Policy was set out in the supporting Essential Reference Paper.

The Chairman reiterated his concerns that UNISON had not had an opportunity to fully consider the content of the report nor the chance to discuss the revisions with UNISON's Executive.

To facilitate debate, the Director of Finance and Support Services suggested, that the policy as before, be considered by the Panel then submitted to Human Resources Committee subject to both sides resolving any anomalies in advance of the meeting. In the event that issues could not be resolved, then the policy would be referred back to Local Joint Panel for further consideration. This was supported.

In response to a query from Councillor M Alexander regarding the accuracy of paragraph 15.3 (tax free allowances), the Secretary to the Employer's Side undertook to double check this. Councillor J Ranger suggested that paragraph 12.0 (page 26) be amended by the deletion of the word "ideally" so that the paragraph read:-

"The requirement for the home worker to visit the office for meetings, staff briefings, training, Performance Development Reviews or any other face to face contact. These should be at least monthly". This was supported.

In response to a query from Councillor L Haysey, the Director of Finance and Support Services explained what steps were currently taken regarding counteracting stress, including the need for managers to contact their staff regularly, to keep up to date.

RESOLVED – that that the Home Working Policy, as

amended, be submitted to Human Resources Committee, subject to both sides resolving any anomalies in advance of the meeting. In the event that issues could not be resolved, then the policy be referred back to the Local Joint Panel for further consideration.

18 ABSENCE MANAGEMENT POLICY

The Secretary to the Employer's Side submitted a report setting out a number of revisions following changes in legislation and best practice, the detail of which was set out in the report now submitted and within the Essential Reference Papers.

The Chairman reiterated his concern that UNISON had not had an opportunity to fully consider the content of the report nor discuss the revisions with UNISON's Executive.

The Secretary to the Employer's Side referred to a rise in short term sickness levels and provided a summary of the key changes proposed, including the need to monitor levels of sickness and the inclusion of "trigger" points so that Managers could take action on sickness absence.

In response to a query from UNISON regarding who would take action should a Manager fall ill, the Secretary to the Employer's Side explained that the referral would be sent to the Line Manager's Manager.

Concerns were expressed generally by the Panel regarding the need to ring in each day (even when on long term sick) and report to the Line Manager. The Panel suggested that this requirement should be subject to the Line Manager's discretion including the need to allow a relative or suitable representative to report a sickness.

In response to a query from Councillor M Alexander regarding the need to ring the office if sick, when on holiday abroad, the Secretary to the Employer's Side explained the need for this, the impact this could have on the employee's holiday pay entitlement should they leave the Council and referred to

recent cases which had been considered at employment tribunals.

The Panel supported a suggestion that the paragraph on sickness absence be amended by the inclusion of a sentence stating that “the Council would take very seriously any actions which were later to be found untruthful”.

The Panel supported a suggestion that a paragraph on “Planned Absence” be included in the Policy.

The Panel supported a suggestion that the Absence Management Policy, as amended, be submitted to Human Resources Committee, subject to both sides resolving any anomalies in advance of the meeting. In the event that issues could not be resolved then the policy would be referred back to Local Joint Panel for further consideration.

RESOLVED – that the Absence Management Policy, as amended, be submitted to Human Resources Committee, subject to both sides resolving any anomalies in advance of the meeting. In the event that issues could not be resolved, then the policy be referred back to the Local Joint Panel for further consideration

The meeting closed at 4.35 pm

| |
|----------------|
| Chairman |
| Date |

EAST HERTS COUNCIL

LOCAL JOINT PANEL – 26 MARCH 2014

HUMAN RESOURCES COMMITTEE – 16 APRIL 2014

REPORT BY HEAD OF COMMUNICATIONS, ENGAGEMENT AND CULTURAL SERVICES

SAFEGUARDING CHILDREN AND VULNERABLE ADULTS POLICY

WARD(S) AFFECTED: ALL

Purpose/Summary of Report

To present a new combined Safeguarding policy for children and vulnerable adults

RECOMMENDATION FOR LOCAL JOINT PANEL:

That:

| | |
|------------|--|
| (A) | the Policy as now submitted and set out within Essential Reference Paper “B” be recommended for approval. |
|------------|--|

RECOMMENDATION FOR HUMAN RESOURCES COMMITTEE:

That:

| | |
|------------|--|
| (B) | The Policy as set out within Essential Reference Paper “B” be approved. |
|------------|--|

1.0 Report

- 1.1 The previous Safeguarding Children Policy approved in 2010 has been updated and combined with policies relating to vulnerable adults.
- 1.2 The policy was approved by Corporate Management Team on 11 March 2014. It is the intention that the report, once supported by Local Joint Panel, will be forwarded to the Human Resources Committee for approval.

2.0 Implications/Consultations

2.1 Information on any corporate issues and consultation associated with this report can be found within **Essential Reference Paper 'A'**.

Background Papers

None.

Contact Member Councillor Linday Haysey – Executive Member for Health Housing and Community Support
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Report Author: Helen Farrell, Human Resources Officer
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ESSENTIAL REFERENCE PAPER 'A'

IMPLICATIONS/CONSULTATIONS

| | |
|---|--|
| Contribution to the Council's Corporate Priorities/ Objectives <i>(delete as appropriate):</i> | People This priority focuses on enhancing the quality of life, health and wellbeing, particularly for those who are vulnerable, and delivering strong services |
| Consultation: | Corporate Management Team |
| Legal: | As contained with report |
| Financial: | none |
| Human Resource: | Training and DBS |
| Risk Management: | Contained within the report. |

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Safe Guarding Policy

East Herts Council

January 2014

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Appendix 1 employees identified for level 2 training

1 Introduction

- 1.0 Children and vulnerable adults have the right to participate and be safe in accessing services provided for them. In addition, all children and vulnerable adults have a right to be protected from being hurt and mistreated, in body or mind, regardless of age, race, disability, culture, sex or sexual orientation. This includes having a right to protection from all forms of abuse. East Herts Council is committed to carrying out its responsibilities by ensuring that the needs and interests of children and vulnerable adults are considered by councillors, employees and contractors in the provision of services and in its decision-making.

2 Policy Statement

- 2.0 The purpose of the policy is to help the Council meet its legal and moral obligations to safeguard and promote the welfare of children and vulnerable adults. East Herts Council performs various functions and delivers a wide range of services. This Policy aims to ensure that all of its activities take place within this context.

- 2.1 The Council will promote the welfare and protection of children and vulnerable adults by:

- Respecting the rights, wishes, feelings and privacy of children and vulnerable adults
- Ensuring that all staff understand the different forms abuse can take and how to identify them
- Responding appropriately and promptly to concerns reported
- Ensuring that employees understand the Council's Safeguarding Policy
- Ensuring that employees know who to report safeguarding concerns, incidents or allegations to
- Taking any concern made by a councillor, employee, contractor or child/vulnerable adult seriously and sensitively
- Ensuring that contracted/commissioned and grant-funded services have safeguarding policies and procedures consistent with the Council's commitment to the protection of children and vulnerable adults.
- Ensuring that training appropriate to the level of involvement with children and vulnerable adults is available for all employees
- Responding to any allegations appropriately and implementing the appropriate disciplinary and appeals procedures
- Implementing effective procedures for recording and reporting to the Council any allegations, incidents or suspicions of abuse

- Ensuring that all councillors and employees adhere to all appropriate safe working practices when working with children and vulnerable adults
- Encouraging safeguarding best practice at the Council
- Not tolerating harassment of any councillor, employee, contractor or child/vulnerable adult who raises concerns of abuse
- Ensuring that unsuitable people are prevented from working with children and vulnerable adults through a robust recruitment process

2.2 This policy applies to all services within the scope of East Herts Council. In addition to all internal provision of services, it also applies to:

- Outside organisations delivering services involving children or vulnerable adults on behalf of the Council
- Contractors
- Grant-funded organisations

3 Definitions

3.1 The phrase 'children and vulnerable adults' refers to:

a) Anyone under the age of 18 years (a child).

b) Someone who is over the age of 18 who is, or may be in need of community care services for reasons of mental health, learning disability or other disability, age or illness and is, or may be, unable to take care of him/herself, or unable to protect him/herself against significant harm or exploitation (a vulnerable adult).

c) References to a 'young person' or to 'young people' mean a person aged over 16 but under 18. Those aged 16-18 are included in the legal definition of a child.

3.2 The term 'abuse' covers physical, emotional, sexual and neglect. For vulnerable adults, abuse can also be financial, discriminatory and institutional. The term 'parents' is used in the broadest sense to include parents, carers and guardians.

3.3 The term Member is interchangeable with councillor.

3.4 This policy is inclusive of all children and vulnerable adults irrespective of their age, race or ethnicity, religion, disability, sex or sexual orientation.

4 Monitoring and review mechanisms

4.1 Monitoring mechanisms include:

- External audits (e.g. s.11)
- SIAS audits
- Recording of staff training
- Positive engagement with the Herts Safeguarding Boards

5 Role of The Herts Safeguarding Boards

5.1 [Herts Safeguarding Children's Board \(HSCB\)](#) is a statutory multi-agency organisation. The organisation brings together agencies who work to safeguard and promote the welfare of children. Under Section 13 of The Children Act 2004, each children's services authority in England must establish a Local Safeguarding Children's Board (LSCB).

5.2 The objective of the LSCB is to co-ordinate what is done by each person or body represented on the board for the purposes of safeguarding and promoting the welfare of children in the area of the authority by which it is established. East Herts Council is committed to maintaining an effective working relationship with the HSCB to help achieve its mutual aims in respect of child safeguarding.

5.3 [Herts Safeguarding Adults Board \(HSAB\)](#) is an Inter-agency forum for agreeing how the different services and professional groups should cooperate to safeguard vulnerable adults across Herts and for making sure that arrangements work effectively to identify abuse or inadequate care, help vulnerable people and plan and implement joint preventative strategies.

5.4 The HCAB aims to raise awareness and promote the welfare of vulnerable adults by the development of an effective cooperative involving people from a wide range of public and voluntary services and other organisations. East Herts Council is committed to maintaining an effective working relationship with the HCAB to help achieve its mutual aims in respect of the safeguarding of vulnerable adults.

6 Safeguarding Responsibilities

6.1 Whilst safeguarding is everyone's responsibility, the Head of Communications, Engagement and Cultural Services has the lead role for the authority with support from Human Resources (training and recruitment vetting).

- 6.2 All employees and councillors should adhere to best practice, participating in relevant training and reporting any disclosure, concern, incident or allegation to the appropriate agency.
- 6.3 Outside organisations that deliver services involving children and vulnerable adults on behalf of East Herts Council should comply with East Herts Council's Safeguarding Policy and, where relevant, to have their own policy and procedures in place.
- 6.4 Heads of Service need to ensure contractors agree to comply with the Council's Safeguarding Policy and where relevant have own policy and procedures in place.

7 Councillors

- 7.1 Councillors are required to adhere to the Policy. If they do not, there may be grounds for reporting their behaviour to the Standards Committee, which may require an investigation under the Councillor Code of Conduct. If a safeguarding issue occurs relating to a Councillor, the Designated Officer informed of the breach should contact the Monitoring Officer immediately. Awareness training will be made available for councillors.

8 Recognising Potential Abuse

- 8.1 Even though many Councillors, employees and contractors have limited contact with children and vulnerable adults as part of their duties and responsibilities for East Herts Council, everyone should be aware of the potential indicators of abuse and bullying and be clear about what to do if they have concerns.
- 8.2 There are four types of abuse that can affect children, young people and vulnerable adults: Physical, Neglect, Emotional and Sexual. In addition to these, vulnerable adults can also suffer from Financial, Discriminatory and Institutional abuse.
- 8.3 It is not the responsibility of any councillor, employee or contractor to determine whether abuse is taking place. Concerns, incidents or allegations must be reported. The role of the councillor or employee is to refer the case to the appropriate person, not to investigate or make a judgement.

9 Responding to a concern about a child or vulnerable adult

9.1 Where a member of staff is concerned about the immediate safety of a child or vulnerable adult they should:

- Call the Police on 999
- Call an Ambulance on 999 if the person needs urgent medical assistance.

9.2 Where a member of staff has concerns that a child (being a person under 18) or vulnerable adult is being harmed or neglected, or is at risk of this, they should contact:

- Children's Services (including out of hours) 0300 123 4043
- The Child Abuse Investigation Unit – This is a specialist team that is a department within the police with county wide responsibility for undertaking child protection investigations 0845 3300222
- <http://www.hertsdirect.org/services/healthsoc/childfam/childprotection/>
- Call Adult Care Services (including out of hours): **0300 123 4042**
- If the vulnerable adult is living in a registered care home or receiving domiciliary (home) care services, you can contact the **Care Quality Commission (CQC) on 03000 616 161**

10 Where a member of staff is implicated

10.1 If it is suspected or reported that a member of staff is implicated in the abuse of a child or vulnerable adult the Council's disciplinary policy will be followed.

10.2 The member of staff may be suspended from all duties or relevant duties with immediate effect pending investigations as outlined in the council's approved disciplinary policy.

10.3 These allegations could potentially result in any of the following types of investigation: Disciplinary, Criminal or Child protection. Refer to the Disciplinary policy for the correct process.

11 Confidentiality

11.1 Employees have a duty to share information relating to suspected abuse with Hertfordshire County Council and Hertfordshire Police.

11.2 Employees must not:

- Discuss any allegations of abuse or bullying, substantiated or not, with anyone from East Herts Council other than with the Head of Communications, Engagement and Cultural Service or Human Resources,
- Discuss any allegations of abuse or bullying, substantiated or not, with any member of an external agency (excluding Hertfordshire County Council and Hertfordshire Police), other than as part of a formal investigation,
- Discuss any allegations of abuse or bullying, substantiated or not, with any other interested party, including parents, carers and relatives of the child, young person or vulnerable adult without the express permission of the person with overall responsibility for the investigation.

11.3 This does not exclude the employee from the need or right to consult with a trade union representative or solicitor/legal advisor.

11.4 Consent is not required to breach confidentiality (capacity issues must be considered) and make a safeguarding referral where:

- A serious crime has been committed
- Where the alleged perpetrator may go on to abuse other adults
- Other vulnerable adults are at risk in some way
- The vulnerable adult is deemed to be in serious risk
- There is a statutory requirement such as Children's Act 1989, Mental Health Act 1983, Care Standards Act 2000
- The public interest overrides the interest of the individual
- When a member of staff of a statutory service, a private or voluntary service or a volunteer is the person accused of abuse, malpractice or poor professional standards.

12 Data Protection

12.1 All copies of Referrals to Hertfordshire County Council Direct should be retained by the Head of Communications, Engagement and Cultural Services to ensure confidentiality. This information will be retained in accordance with data protection periods. No other copies should be kept.

13 Homelessness

13.1 East Herts Council owes a legal duty to provide temporary accommodation to individuals whose status and circumstances meet

certain criteria as defined in the housing act 1996 as amended by the homeless act 2002. Officers may need to refer families or individuals to Hertfordshire County Council outside of the safeguarding process, as follows:

| Persons affected | Reason for contacting Hertfordshire County Council |
|--|--|
| Homeless 16-17 year olds | A 16 or 17 year old may be referred to Hertfordshire County Council for assessment to determine if they are a child in need with a duty owed to them by Hertfordshire County Council. |
| Intentionally homeless household with children | If a household with children is found to be intentionally homeless, Hertfordshire County Council should be advised in writing so that they can ascertain whether a duty is owed under the Children Act 1989. |

- 13.2 Children and vulnerable adults are placed in temporary accommodation while an assessment is carried out. Officers complete a detailed Housing Options form with applicants. This helps to identify needs and vulnerabilities, and assists in the process of safeguarding both children and vulnerable adults.

14 Use of Contractors

- 14.1 Heads of service (in consultation with the Council's legal services) will take reasonable care that contractors doing work on its behalf are monitored appropriately. Any contractor or sub-contractor engaged by the Council in areas where workers are likely to come into regular contact with children or vulnerable adults, should have its own equivalent child protection and vulnerable adult policies, or failing this, must comply with the terms of this policy. This requirement will be written into the contract. Where contact with children and vulnerable adults is a necessary part of the contracted service, it is the responsibility of the manager who is monitoring the services of the contractor to ensure that satisfactory Disclosure and Barring Service (DBS) checks have been completed where appropriate.

15 Grant Applications

- 15.1 Safeguarding policies and procedures are required from all grant funded organisations. In addition, satisfactory DBS checks may be required from appropriate individuals working with children and vulnerable adults which seek funding from the Council. (Such requirements are subject to relevant legislation including the 'regulated activity' criteria contained within the Protection of Freedoms Act 2012). This information will be requested at

the application stage and applications will not be processed without the relevant documentation.

- 15.2 As a minimum, any organisation receiving funding from the Council will be expected to have a statement of policy and procedure regarding safeguarding, in place and understood by employees and volunteers, and available to service users.

16 Licensing

- 16.1 The Council is responsible for carrying out certain licensing functions. Protection of children from harm is a licensing objective that the Council is legally obliged to consider as part of its licensing function, in particular when licensing premises under the Licensing Act 2003 or the Gambling Act 2005.

17 Photography and Pornography

- 17.1 It is an unfortunate fact that some people have used children's events as opportunities to take inappropriate photographs or footage of children and young people. Councillors, employees and contractors should be vigilant at all times. Anyone using cameras or film recorders for or on behalf of the Council must have either completed media consent forms from the parents of children being photographed or filmed, or have checked with the parent or guardian, before the activity commences. When commissioning professional photographers or inviting the press to cover the organisation's services, events and activities, the Council will ensure that expectations are made clear in relation to child protection.
- 17.2 There are some easy steps to take:
1. Check credentials of any photographers and organisations used.
 2. Ensure identification is worn at all times.
 3. Do not allow unsupervised access to children or vulnerable adults including through one-to-one photographic sessions.
 4. Do not allow photographic sessions outside of the activities or services, or at a child's home.
 5. It is recommended that the names of children or vulnerable adults should not be used in photographs or footage, unless with the express permission of the parent/carer of the child, young person or vulnerable adult.
- 17.3 Council employees should contact the Communications Team for advice and a copy of the Media Consent Form before the activity commences.

18 Human Trafficking

- 18.1 East Herts Council recognises that local authorities have specific responsibilities under the Council of Europe's 2006 'Declaration on the Fight against Trafficking of Human Beings' to which the UK is a signatory. Staff should discuss concerns they may have with the Designated Officer. Signs which may indicate Human Trafficking are available in Appendix 8, along with details of the United Kingdom Human Trafficking Centre (UKHTC) which is a national organisation that can provide advice. Additional information and guidance can be found on the Hub.

19 Safeguarding Training

- 19.1 The Council's induction programme for all new staff will include reference and sign post to key contacts and to the Council's policy and training programme.

All staff will be required every three years to undertake a basic (level one) short awareness raising training session. This programme may be through an on-line programme for individuals or through 'bite-size' group training or other methods. The actual form of the training will be determined by human resources. Human resources will co-ordinate and monitor the take up of this awareness raising programme to ensure corporate coverage and shall report to CMT annually on take up levels: the target for take up will be 100%.

- 19.2 Specific or specialist training (level two) training shall be provided for all employees who come into direct contact with children and vulnerable adults as part of carrying out the requirements of their job.
- 19.3 The Council will consult with the Hertfordshire Safeguarding Children Board and the Hertfordshire Safeguarding Adults Board on those categories of employees who have been identified as requiring specific training.
- 19.4 The list of roles/posts identified for level two training is attached at appendix 1.

20 Safe Recruitment

- 20.1 East Herts Council is committed to taking all reasonable steps to prevent unsuitable people working with children and vulnerable adults.

- 20.2 Disclosure and Barring Service (DBS) checks are sought where employees and volunteers have substantial or regular or unsupervised contact with children, young people or vulnerable adults as part of their duties or responsibilities for or on behalf of the organisation.
- 20.3 DBS checks only guarantee that the person concerned does not have a relevant criminal conviction up to the date that the certificate is issued.

21 Work Experience

- 21.1 East Herts Council may offer work experience placements across the organisation to a number of young people each year. This is beneficial to both the young person and to the Council. When the organisation offers a work experience placement, managers have a responsibility for their health, safety and welfare. Under health and safety law, these students will be regarded as employees.

22 Policy Review

- 22.1 The Policy will be reviewed in two years or sooner if there are any changes in legislation or best practice requiring amendments to be made.

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