

East Herts Council Report

Executive

Date of Meeting: 1st September 2020

Report by: Cllr Peter Boylan, Executive Member for Neighbourhoods

Report title: Draft Updated East Herts Council Safeguarding Policy

Ward(s) affected: All

Summary

The report presents the latest updated version of the council's Safeguarding Policy. The Executive is asked to consider the draft policy, propose any amendments for the Executive Member to include prior to consideration by Council and recommend the policy, with any amendments, to Council for adoption.

RECOMMENDATIONS THAT:

- (a) The draft updated Safeguarding Policy be recommended to Council for adoption**
- (b) The Head of Housing and Health incorporates any amendments to the Safeguarding Policy suggested by the Executive, acting in consultation with the Lead Member for Neighbourhoods, prior to presentation to Council for adoption.**

1.0 Proposal(s)

- 1.1 It is proposed that the Executive reviews the changes made to the council's Safeguarding Policy and recommend it to Council for adoption having first proposed any amendments they see fit.

2.0 Background

- 2.1 East Herts Council, as a second tier local authority, has a statutory responsibility and a duty of care which, in the simplest of terms, means it has a duty to co-operate and report issues relating to safeguarding to the appropriate authorities.
- 2.2 The council firmly believes that children, young people and adults at risk have the right to be safe when using our services. They have the right to be protected from being hurt or suffering abuse regardless of age, race, disability, culture, sex or sexual orientation.
- 2.3 The purpose of the policy (attached at Appendix A) is to safeguard and promote the welfare of children, young people and adults at risk by:
 - a) respecting their rights, wishes, feelings and privacy
 - b) ensuring all employees understand the different forms abuse can take, how to identify them and how to act on their concerns
 - c) taking any concern raised seriously and sensitively
 - d) implementing effective procedures for recording, reporting and responding to any allegations, incidents or suspicions of abuse
 - e) ensuring that contracted, commissioned and grant funded services have safeguarding policies and procedures consistent with the council's commitment to protecting those at risk
 - f) encouraging safeguarding best practice at the council
 - g) ensuring unsuitable people are prevented from working with children, young people and adults at risk through a robust recruitment policy
- 2.4 The council required the Safeguarding Policy to be reviewed every three years (or sooner if there are any changes in legislation or best practice). The existing policy was reviewed in April 2020 having previously

been reviewed in April 2017.

- 2.5 The latest review of the policy took place via the Safeguarding Policy Group and has taken in to account the latest guidance and best practice relating to safeguarding. These include recommendations made by the Hertfordshire Adult Safeguarding Board including:
- updating and raising awareness of Mental Capacity Assessment guidance
 - including Making Safeguarding Personal
 - expanding safeguarding training for contractors.
- 2.6 Key differences from the previous policy include:
- a) additional definitions of forms of abuse added to the current definitions table – see table in section 3.3 of the revised Safeguarding Policy
 - b) recognition of the Mental Capacity Act and where this may be applicable – see section 3.5
 - c) updated guidelines for staff on dealing with disclosures – see section 6
 - d) a new section on official visits and VIPs – see sections 9.19 – 9.24
 - e) a more rigorous approach to safer recruitment – see section 11.

3.0 Reason(s)

- 3.1 The Safeguarding Policy has been thoroughly updated in line with the three year review cycle the council has agreed for this policy.

4.0 Options

- 4.1 Do nothing, that is, maintain the existing Safeguarding Policy in force without updating it. NOT RECOMMENDED as both guidance and best practice have advanced since the existing policy was formulated in 2017 and thus the council could be at risk of not recognising or handling

effectively as suspected or actual safeguarding issues in the district.

- 4.2 Recommend the policy to Council without first considering the changes to the existing policy. NOT RECOMMENDED as an integral element of the policy is that it is understood and owned by all members and officers. Consideration of the draft by the Executive, with or without amendments being proposed, clearly signals the importance placed on the policy by the Executive.
- 4.3 Review and recommend the latest draft of the Safeguarding Policy to Council for adoption. RECOMMENDED as a means of ensuring that East Herts Council has an up-to-date, fit-for-purpose Safeguarding Policy in place which supports members and officers to identify, report and act on safeguarding issues in an appropriate and timely way which underlines the paramount importance placed on this issue by East Herts Council.

5.0 Risks

- 5.1 Types of abuse, legislation and best practice are ever changing. This policy is reflective of current known types of abuse, legislation and best practice but could become outdated leaving the council at risk of not identifying or reacting appropriately to a potential safeguarding issue. To mitigate this, the policy states that it will be reviewed every three years or when changes are made to legislation or best practice, whichever is the sooner. A Safeguarding Policy Group has been established to stay abreast these developments.

6.0 Implications/Consultations

- 6.1 This Safeguarding Policy has been developed through consultation with the Safeguarding Policy Group, which include representatives of the Housing and Health service and Human Resources and Organisational

Development and is chaired by the Executive Member for Neighbourhoods. The review has also taken on board best practice identified by the Hertfordshire Safeguarding Children Partnership and the Hertfordshire Safeguarding Adults Board.

Community Safety

Yes – this policy furthers the aspirations of the Community Safety Partnership to protect vulnerable people and develop community safeguarding.

Data Protection

Yes – the investigation of a safeguarding concern is likely to cover a considerable amount of sensitive information about individuals. This policy gives detailed guidance on confidentiality and data protection when sharing a safeguarding concern.

Equalities

Yes – this policy aims to safeguard the interests of the potentially most vulnerable residents of East Herts, including a number of people with protected characteristics such as, though not limited to, older people and disabled people, and has been developed with this in mind. By the time this policy is proposed to Council an Equalities Impact Assessment will have been completed. It will accompany the report for members of full Council to refer to when considering adoption of the policy.

Environmental Sustainability

No

Financial

No – there are no financial implications arising from either consideration or subsequently adoption of the revised policy. The costs associated with the member and officer training required by the policy can be met from existing budgets.

Health and Safety

No

Human Resources

Yes – this policy outlines the requirements for safer recruitment and safeguarding training for staff.

Human Rights

Yes – this policy outlines the rights for children, young people and adults at risk to be safe and protected from mistreatment or abuse, regardless of age, race, disability, culture, sex or sexual orientation.

Legal

Yes – this policy outlines East Herts Council's statutory responsibility and duty of care relating to safeguarding.

Specific Wards

No

7.0 Background papers, appendices and other relevant material

- 7.1 Appendix A – draft updated East Herts Safeguarding Policy.

Contact Member

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