

## **Report to the Cabinet**

**Report reference: C-015-2015/16**

**Date of meeting: 23 July 2015**



**Portfolio: Safer, Greener and Transport**

**Subject: Safeguarding Staffing Resources**

**Responsible Officer: Julie Chandler (01992 564214).**

**Democratic Services: Gary Woodhall (01992 564470).**

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### **Recommendations/Decisions Required:**

**(1) That the significant improvements that the Council has made to its safeguarding arrangements over the last year, since the appointment of the 1,5FTE Safeguarding posts be noted;**

**(2) That the ongoing work required to maintain and further improve safeguarding arrangements, systems and practices across the Council to minimise the risks to the Council, including confidential data recording also be noted; and**

**(3) That a £ £49,610 Continuing Services Budget growth bid be made for 2016/17 to enable the existing 1.5FTE Safeguarding Posts to be made permanent on the Council's establishment.**

### **Executive Summary:**

This report explains the statutory requirements of the Council relating to the safeguarding of children, young people and older people (with needs for care and support) from harm, and the significant amount of work undertaken by the 1.5FTE safeguarding posts approved by the Cabinet in May 2014 for an initial period of two years, to reduce and minimise the risks to the Council, officers, Members and clients.

It explains the amount of ongoing and additional work required to continue to reduce and mitigate these risks and, accordingly, proposes that a Continuing Services Budget Growth Bid be considered as part of the 2016/17 budget to make these posts permanent.

### **Reasons for Proposed Decision:**

Safeguarding children, young people and adults with needs for care and support is an ever increasing agenda, with new issues emerging all the time. This places a much greater responsibility and pressure on councils to respond to these and existing safeguarding issues efficiently and effectively.

The 2014/15 Essex Safeguarding Children and Adults Boards audits identified a range of areas that the Council still needs to improve upon, including ensuring that all contractors that the Council works with have adequate safeguarding policies and training for their staff. This type of work requires ongoing maintenance and review and takes a substantial amount of time to complete and therefore cannot feasibly be undertaken by other staff in the organisation.

### **Other Options for Action:**

(i) To end the fixed term contract for the Safeguarding Officer and Part-time Administration Assistant posts in April 2016. However, this would result in the Council being unable to fulfil its safeguarding responsibilities to the level required by the Safeguarding Boards.

(ii) To increase the dedicated staffing resources for safeguarding – but it is considered that the current 1.5FTE posts are generally sufficient, supplemented by work undertaken by the Assistant Director (Community Services and Safety) and Community Safety Manager when required.

### **Report:**

1. Since the Children Act was introduced in 1989, safeguarding children and young people from harm has been a legislative requirement for all public and voluntary sector organisations. Following the high profile death of Victoria Climbié in 2004, the subsequent Lord Laming Inquiry identified a whole range of recommendations for all agencies working with children and families, which resulted in a revised Children Act of 2004, which continues to be the legislation followed today. Under Sections 11 and 47 of this Act, the Council has a **statutory duty** to protect children and young people from harm and is also required to co-operate and provide information to Essex County Council in cases where a Child Protection investigation is conducted.

2. Until April 2015, there was no legislation to protect vulnerable adults from harm, but local authorities in Essex followed general guidance provided by the County Council. However, the Care Act 2014 became legislation in April this year and set out a range of new safeguarding requirements for adults identified 'with needs for care and support'. The term 'vulnerable adults' is no longer used.

3. Under this new legislation, local authorities have duties related to self-harm or neglect and for those authorities with their own housing stock, like Epping Forest District Council, this can be a particular issue that is identified by Housing and Environmental Services. For example, some people that hoard can be causing self-harm or neglect, but each case has to be treated individually and proof of lack of mental capacity or need for support must be evidenced before social care will intervene. Hoarding can be a lifestyle choice and therefore, as long as a person has capacity to look after themselves and they are not causing conditions that are detrimental to their own or others health, they can continue to live like this.

4. Safeguarding legislation is relevant to all council services and functions and additionally, all contractors with whom the Council works and has contracts. There is therefore a need for a 'whole council' approach to safeguarding and this becomes more evident as new and complex issues emerge.

5. The Louise Casey Review of the Rotherham Child Sexual Exploitation Case, where over 1,400 young people were sexually exploited, highlighted significant weaknesses and negligence across Licensing services, Environmental Health and other areas of the Council, and included involvement of Elected Members in the exploitation. This Case has led to several changes in legislation, which in future could see individuals (officers and/or members) criminally prosecuted for not fulfilling their safeguarding duties. The workload for local authorities is therefore continually expanding in terms of the level of work to be undertaken and responsibility.

6. Until May 2014, all safeguarding work undertaken by the Council was carried out by officers with other full time roles and this meant that relatively limited time could be allocated

to the safeguarding agenda, with a focus mainly on reactive and essential work. If staff across the organisation had any safeguarding concerns they were required to contact Social Services and/or the Police themselves to make a formal report or seek advice, and they were required to complete the necessary referral forms and paperwork

7. However, with the range of new and emerging safeguarding issues and a more specific focus on the ability of district councils to fulfil their duties and responsibilities, in 2013/14, the Council agreed funding for the appointment of a Safeguarding Officer and part-time Administration Assistant on a fixed-term two year basis, to enable the Council to improve its ability to meet safeguarding requirements. These posts were assigned to the Community Safety Team, within the Communities Directorate.

8. The Council's decision to provide District Development Fund funding to appoint the Safeguarding posts in May 2014 has indeed significantly helped the Council to improve its ability to meet existing and new safeguarding requirements. Over the last year, the range of work undertaken by the 'Safeguarding Team' (which has been supported by the Community Safety Manager and Assistant Director Community Services and Safety), has been extensive. New arrangements for dealing with safeguarding concerns and referrals have been implemented, with a 'single point of contact' providing much needed support and direction for staff across the organisation. A new and efficient data base has also been set up for recording safeguarding concerns, which now holds all confidential safeguarding data in one place.

9. The Safeguarding Team now also monitors the number, frequency, quality and type of referrals that are being sent from the Council to external agencies and over the last year alone, over 90 safeguarding referrals were made to the Safeguarding Team to review, record and refer where appropriate. These ranged from children suffering neglect and abuse at the hands of their parents, to older people being abused by their carers and family. (Evidence suggests that there are only a percentage of the total number of safeguarding incidents that are identified and reported, with the majority being undetected and this especially relates to Domestic Violence, which statistics suggest, affects 1 in 4 people).

10. Other examples of work undertaken by the Safeguarding Officer and Assistant since they have been in post include;

- production of a new and updated Safeguarding Policy and Procedures for the Council and awareness raising of these amongst staff;
- production of a Safeguarding Strategy and Action Plan.
- cross referencing of safeguarding concerns across the Council;
- production of new policies for Domestic Abuse, Child Sexual Exploitation and Prevent;
- development of 'Toolbox Talks' which are specific training sessions for council staff that visit people's homes to undertake repairs and improvements;
- production of a new safeguarding training package for Elected Members;
- safeguarding training for the senior management of the Council; and
- development of enhanced working relationships with local partners in safeguarding matters.

In addition, several pieces of work that have been 'fitted in' around priority tasks, include entering retrospective safeguarding case details onto the new database system and collation of information regarding staff training and these continue to be ongoing.

11. The priority of assessing and processing safeguarding concerns raised by staff continues to be the priority for the safeguarding team, and with 90 referrals of varying complexities received from May 2014 to May 2015, this can be quite a time consuming task.

As is the need for cross referencing of data held in various areas of the council, which can be related to anti-social behaviour, noise pollution and benefit fraud, as this can have a direct link to safeguarding.

12. With the increase in major safeguarding issues such as Child Sexual Exploitation, Domestic Violence and Human Slavery and the number of high profile cases that are being uncovered, local authorities are under increasing pressures to tackle these issues at a local level. Thus, District, Borough and City Councils across the country are increasing their safeguarding resources accordingly.

13. It is also necessary to implement the Safeguarding Action Plan, reported elsewhere on this Cabinet Agenda.

14. It is therefore strongly recommended that a CSB Growth Bid be made for the 2016/17 budget cycle to make the existing Safeguarding Officer and Part-time Administration Assistant posts permanent, to ensure that the new systems for safeguarding referral and reporting are maintained, and to enable the new Safeguarding Strategy and associated Action Plan to be implemented.

**Resource Implications:**

Safeguarding Officer and P/T Administration Posts at Grade 7 and 4 respectively, including on-costs and travel £49,610.

**Legal and Governance Implications:**

The Council has a statutory duty to protect children and young people from harm, under Section 11 of the Children Act 2004. It is also required to co-operate and provide information to Essex County Council under section 47 of the Children Act, where a Child Protection investigation is conducted.

Under the Care Act 2014, The Council has new responsibilities relating to self-harm and self-neglect, which can be identified through home visits to tenants and private homes.

**Safer, Cleaner and Greener Implications:**

The District Council is responsible for ensuring that all children, young people and adults in need of care and support are protected from harm and exploitation.

**Consultation Undertaken:**

None.

**Background Papers:**

Safeguarding Strategy and Action Plan.

**Risk Management:**

Safeguarding is included within the Council's Risk Management Framework, in respect of the Council being unable to fulfil its responsibilities and the risk of a child, young person or adult suffering significant harm.

# Due Regard Record

This page shows **which groups of people are affected** by the subject of this report. It sets out **how they are affected** and how any **unlawful discrimination** they experience can be eliminated. It also includes information about how **access to the service(s)** subject to this report can be improved for the different groups of people; and how they can be assisted to **understand each other better** as a result of the subject of this report.

S149 Equality Act 2010 requires that due regard must be paid to this information when considering the subject of this report.

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The subject of this report does not impact on the Equality Act 2010.