



Winchester
City Council

SAFEGUARDING POLICY PROCEDURES, PROTOCOLS AND PRACTICE

OVERARCHING POLICY STATEMENT

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Winchester City Council - Safeguarding Policy

Overarching Policy Statement

1 Foreword

At a time when the importance of safeguarding children, young people and vulnerable adults has never been better understood, Winchester City Council (WCC) has undertaken a major review of its policy to ensure its arrangements and working practices accurately reflect the additional responsibilities placed upon it. This new Policy outlines the responsibilities of the Council, along with those of other agencies, to safeguard children, young people, and vulnerable adults and to keep them safe. This responsibility also applies to the safeguarding needs of Council employees, volunteers and elected Members. The policy applies to anyone with whom Council staff, elected Members, volunteers, key contractors, consultants and directly commissioned or grant funded providers acting on behalf of the Council, has contact.

The Council believes that its staff and residents have the right to be free from harm, deserve the opportunity to fulfil their full potential and to have their rights and choices protected. The new Safeguarding Policy reflects this commitment.

The Council recognises that safeguarding is **everyone's** responsibility and is committed to working in partnership with others to safeguard people from all forms of abuse, neglect or exploitation and to ensure that its actions are aligned with the procedures set down by the Hampshire Safeguarding Children's Board and the Hampshire Safeguarding Adults Board.

2 Statutory Duties and Obligations

In recent years the safeguarding duties placed on the City Council have been extended beyond safeguarding children, young people and vulnerable adults to encompass Domestic Violence and Abuse, Child Sexual Exploitation (CSE) and the Missing Exploited and Trafficked (MET) agenda (including Modern Slavery), and Prevent (the Government's Counter-Terrorism Strategy). This policy is therefore presented in the following separate, but closely related, safeguarding themes:-

- **Safeguarding Children, Young People and Vulnerable Adults**
- **Missing, Exploited and Trafficked (including Modern Slavery and Child Sexual Exploitation)**
- **Prevent**
- **Domestic Violence and Abuse**

More recently responsibilities have been further extended to ensure that the Council has policies, procedures and practices in place to champion e-safety and that processes are in place to disseminate learning from Domestic Homicide Reviews, Serious Case Reviews and Safeguarding Adults Reviews:-

- **Domestic Homicide Reviews (DHRs)** are commissioned by local Community Safety Partnerships in response to deaths caused through cases of domestic violence. They are subject to the guidance issued by the Home Office in 2006 under the Domestic Violence Crime and Victims Act 2004. The basis for the domestic homicide review (DHR) process is to ensure agencies are responding appropriately to victims of domestic abuse offering and/or putting in place suitable support mechanisms, procedures, resources and interventions with an aim to avoid future incidents of domestic homicide and violence.
- **Serious Case Reviews (SCRs)** are instigated to scrutinise services that have been provided to a child and family prior to the death or serious injury of a child where abuse or neglect are believed to be a contributory factor. Local Safeguarding Children's Boards (LSCBs) are required to undertake Serious Case Reviews under regulation 5 of the Children Act 2004 and guidance for this is contained in Chapter 4 of Working Together to Safeguard Children 2015 <http://www.workingtogetheronline.co.uk/>
- **Safeguarding Adults Reviews (SARs)** are the adult equivalent of SCRs. Under Section 44 of the Care Act 2014 local safeguarding adults boards are required to arrange a Safeguarding Adult Review (SAR) when an adult in its area dies as a result of abuse or neglect, whether known or suspected, and there is concern that partner agencies could have worked more effectively to protect the person at risk. It places a duty on all Board members to contribute in undertaking the review, sharing information and applying the lessons learnt.

In each case the City Council has a statutory obligation to participate in the review process.

The Care Act 2014 has introduced three new categories of abuse which covers: Modern Slavery, Domestic Abuse and Self-Neglect.

Legislation is also in place covering issues related to Forced Marriage, Honour Based Abuse and Female Genital Mutilation.

The Council will ensure that its Policy complies with all relevant legislation, a summary of which is listed in **Appendix A**, and as such we will review our policies, procedures, protocols and practices on a regular basis.

3 Aims: the aims of this Policy are to:-

- Ensure that an overarching approach to safeguarding is embedded within all Council services, and that staff, elected Members, those delivering contracts or commissions on behalf of the Council, consultants, organisations receiving grant support from the Council and volunteers understand their role and

responsibilities in supporting all residents to live a life free from abuse, exploitation and intimidation.

- Protect those who need safeguarding by providing a critical reference point for Council staff, elected Members, volunteers, key contractors, consultants and directly commissioned or grant funded providers acting on behalf of the Council. In so doing protecting the Council and those individuals from failing to keep people safe.
- Clarify the role of Winchester City Council in collaboration with its partners in protecting children, young people and vulnerable adults from abuse, neglect and exploitation and ensure that the Council plays its full part in ensuring that the health, safety and wellbeing of children, young people and vulnerable adults is safeguarded and promoted at all times.
- Ensure that the Council's working practices and codes of conduct protect people from harm regardless of age, gender, disability, racial heritage, religious belief, sexual orientation or any other protected characteristic as covered by the Equality Act 2010.
- Support the promotion of a safe working environment and a culture of care in which the rights of people are protected and respected.
- Provide clear guidance on safeguarding processes and procedures to Council employees, volunteers, and elected Members in order to ensure that concerns about abuse and neglect to children and vulnerable adults are reported promptly to the appropriate authority.
- Provide effective management for employees and volunteers through effective supervision, support and training.
- Support the procedures for the safe recruitment of employees, Members and volunteers in accordance with relevant legislation and guidance.
- Ensure that the safeguarding needs of WCC staff, elected Members, and volunteers are protected.
- Raise awareness of safeguarding issues to ensure that the needs of children, young people and vulnerable adults are incumbent in decision making processes and through service provision.

4 Definitions

For the purposes of this Policy the following definitions apply:-

i) Children and Young People: anyone who has not yet reached their 18th birthday.

ii) Vulnerable Adults: any person over the age of 18 with care and support needs. The definition under The Care Act 2014 refers to an 'adult at risk of

abuse or neglect with care and support needs'. For the purposes of this policy we will retain the term 'vulnerable adult'.

iii) Parent / Carer: this generic term is used throughout to represent parents, carers and guardians for both children and vulnerable adults. It is important to recognise that in providing services the Council is not acting 'in loco parentis' (in place of the parent).

5 Scope

Section 2: Safeguarding Children, Young People and Vulnerable Adults:

This section covers:-

a) Safeguarding and Promoting the Welfare of Children and Young People

This encompasses the protection and welfare of children under the age of 18 (including unborn babies). It also incorporates the additional aims of preventing the impairment of children's health and development; ensuring they grow up in circumstances consistent with the provision of safe and effective care.

b) Safeguarding Vulnerable Adults

This encompasses the protection from harm or neglect of a person aged 18 and over who may need community care services due to a disability, age or illness, who cannot take care of, or protect themselves from significant harm or exploitation. Adults with care and support needs should be supported in maintaining control over their lives and make informed choices without coercion.

Section 3: Missing, Exploited and Trafficked

This section also includes:-

a) Child Sexual Exploitation (CSE) – CSE is an illegal activity by people who have some form of power and control over children and use it to sexually abuse them. It involves forcing or enticing a child (under the age of 18) to take part in sexual activities whether or not the child is aware of what is happening, including exploitative situations, contexts and relationships where children (or a third person or persons) receive 'something' (e.g. food, accommodation, drugs, alcohol, cigarettes, affection, gifts, money) as a result of performing, and/or others performing on them, sexual activities. CSE can be a form of organised or complex abuse, involving a number of abusers and/or a number of children.

CSE can occur through use of technology without the child's immediate recognition, for example the persuasion to post sexual images on the

internet/mobile phones with no immediate payment or gain. In all cases those exploiting the child/young person have power over them by virtue of their age, gender, intellect, physical strength and/or economic or other resources.

b) Modern Slavery - Modern Slavery (or Human Trafficking) involves the recruitment, transportation, transfer, harbouring or receipt of people who, with the threat or use of force, coercion, abduction, abuse of power or deception are exploited for the purposes of prostitution, forced labour, slavery or other similar practices. Victims are trafficked all over the world, including in and around the UK.

Section 4: Prevent

Prevent is a Government strategy, led by the Home Office, which focuses on working with individuals and communities who may be vulnerable to the threat of violent extremism and terrorism. Supporting vulnerable individuals and reducing the threat from violent extremism in local communities is a priority for statutory agencies and their partners.

There is no expectation that the City Council will take on a surveillance or enforcement role as a result of Prevent. Rather, the Council will work with its partner organisations to contribute to the prevention of terrorism by safeguarding and protecting vulnerable individuals and making safety a shared endeavour.

The Council's Prevent Lead will engage with partnership groups with the responsibility to share concerns raised within the organisation, including the Channel Panels. Channel is a multi-agency process which uses existing collaboration between partners to provide support to those who may be vulnerable to being drawn into terrorism.

Section 5: Domestic Violence and Abuse

Domestic abuse is defined as any incident or pattern of incidents of controlling, coercive or threatening behavior, violence or abuse between those aged 16 or over who are, or have been, intimate partners or family members regardless of gender or sexuality.

6 Responsibility

The Policy covers all functions and services of WCC and guides the conduct of:

- All employees, volunteers, and elected Members of WCC.
- Volunteers and other workers involved in the provision of Council services (but not directly employed by WCC) – this includes contractors, consultants, commissioned providers and grant aided organisations.

Safeguarding is everyone's business so accountability for the implementation of this Policy lies at all levels of the Council. All employees and elected Members must participate in any relevant training across the scope of this Policy. Most importantly, all staff, elected Members and volunteers will follow the Safeguarding Code of Conduct and Good Practice shown at **Appendix B**.

All Council employees, volunteers, elected Members, key contractors, consultants, directly commissioned providers and grant aided organisations acting on behalf of WCC **must** be aware of and act in line with this Policy and Procedures to identify concerns, to know how and when to take action, and to be confident to do so if they suspect someone may need safeguarding; **this applies even where they do not work directly or have regular contact with children or vulnerable adults.**

Ultimately, elected Members are responsible for ensuring that the Council has a robust Safeguarding Policy and for the regular review of this policy to reflect any changes to legislation.

7 Links to other Corporate and Partnership Policies

Given the breadth and importance of this Policy and its procedures, it cannot be read and taken in isolation. **Appendix C** provides links to other relevant internal and external policy documents.

8 Glossary

A detailed glossary of terms is provided at **Appendix D**

9 Corporate Safeguarding Group

The Council has established a Corporate Safeguarding Group to promote a consistent approach to safeguarding across all services. Members of the group can provide support and informal advice on general safeguarding matters to staff and elected Members. The current membership of the group is shown at **Appendix E**.

However, a wish to discuss a particular issue **must not** delay the prompt reporting of safeguarding concerns to the appropriate authority. In addition, if a child or young person is in imminent danger and/or a vulnerable adult is at immediate risk you **must contact the emergency services at once on 999.**

10 Contacts

A Safeguarding Directory of Key Contacts is shown at **Appendix F**. In view of the vast number of information and advice agencies operating across the wider safeguarding agenda, just the headline links have been provided.

11 Training

All those to whom this Policy and its Procedures apply need to be able to recognise and respond to possible safeguarding issues. The level of training required by each person will be commensurate to their need according to their role, their level of contact with children, young people, parents/carers, and vulnerable adults and their role in managing or supervising others.

Training for elected Members will be developed in accordance with need and relevant guidance.

The Training and Development Framework is shown at **Appendix G**

12 Effective Information Sharing and Confidentiality

In order to keep children, young people and vulnerable adults safe from harm, professionals will share relevant information across geographical and professional boundaries as required.

When there is a reasonable cause to believe that a child, young person or vulnerable adult, may be suffering or may be at risk of suffering significant harm, consideration will **always** be given to referring these concerns to Hampshire County Council Children's or Adult Services Departments (as appropriate) and/or the Police.

Information will be shared appropriately and always in accordance with the principles set out in the Council's Corporate Safeguarding and Information Sharing Protocols shown at **Appendix H**.

Remember that safeguarding concerns override the need for confidentiality in respect of relevant statutory authorities **as long as all activity is properly recorded**.

13 Process and Procedures

The process and procedures for dealing with cases of abuse or suspected abuse are set out at **Appendix I**.

14 Funding and Grants

Where organisations and groups that work with children or vulnerable adults apply to the Council for grant aid, the granting of funds is subject to the recipient organisation having a safeguarding policy in place. This will be checked on application by a self-declaration. Community First Winchester can assist not for profit organisations to develop appropriate policies and procedures and to access relevant training.

15 Hiring Council Facilities to Others

Any hirer who provides activities for children, young people or vulnerable adults must state this fact on the booking form and sign a self-declaration that they are aware of safeguarding procedures or have their own safeguarding policy in place.

16 Tendering and Contracting

Any contractor or sub-contractor engaged by the Council in areas where workers are likely to come into contact with children, young people and/or vulnerable adults, should have their own robust safeguarding policy or, failing this, must comply with the terms of this policy.

All new contracts let by the Council which involve services for children, young people and/or vulnerable adults will include appropriate reference to complying with this policy. Evidence is requested at point of tender and then subsequently checked at periodic intervals.

17 Out of Hours Working

It is recognised that employees, elected Members and volunteers work outside of office hours and therefore may have difficulties in contacting their line manager, a safeguarding lead or the Monitoring Officer. If there is a safeguarding incident or allegations of abuse outside of office hours, this should be reported directly to the **Hants Direct Out of Hours (Children and Adults Services) Duty team on 0300 555 1373**. The employee, elected Member or volunteer should then complete and submit the online 'Safeguarding Children, Young People and Vulnerable Adults Incident Report Form' (see Appendix J) at the earliest opportunity.

18 Record Keeping

Records should be stored securely and shared only on a 'need to know' basis. These procedures not only serve to protect children, young people and vulnerable adults but also protect employees, elected Members, volunteers and the Council itself. All communications should be marked **CONFIDENTIAL** and sent only to the named person/s dealing with the case. Electronic communications being sent outside the Council should be password protected.

19 Complaints Procedure

It is important to maintain an open culture whereby employees, elected Members, volunteers, associated workers, children, vulnerable adults and parents/carers can feel able to express concerns both about safeguarding and issues of poor practice when dealing with children and vulnerable adults.

Employees and elected Members can raise concerns about other employees or Members by following the Council's Grievance Procedure, the Whistle

Blowing Policy or other appropriate procedure. The complaints procedure for members of the public including partners, volunteers and young people is available on the Council's website on www.winchester.gov.uk or from the Council Offices in Colebrook Street.

20 Recruitment

Through its recruitment procedures for all employees and volunteers who work directly with children, young people or vulnerable adults, Winchester City Council will:

- Check for convictions for criminal offences against children and vulnerable adults in accordance with current legislation
- Explore each applicant's experience of working or contact with children or vulnerable adults prior to an appointment being made
- Obtain two references, one of which must be from a current employer
- Verify qualifications and professional registration prior to an appointment being made
- Undertake any other pre-employment checks, for example confirmation of the applicant's right to work in the UK

21. Monitoring this Policy

The main performance indicator for this policy is:

- % Staff/Members reporting that they are confident that they would be able to follow procedures in the event of an incident

The Council's Corporate Safeguarding Group is also responsible for monitoring the implementation of this policy.

22 Review

The Policy and guidance will be reviewed at least bi-annually or whenever there is a change in the related legislation or when an incident occurs. This will ensure that the document is fit for purpose, up to date and compliant with the Council's statutory duties and obligations.

