

For publication

Approval of Chesterfield Borough Council's revised Safeguarding Policy and Procedures and Modern Slavery Statement (HW000)

Meeting:	Cabinet
Date:	20/02/18
Cabinet portfolio:	Cabinet Member for Health and Wellbeing
Report by:	Assistant Director – Policy and Communications

For publication

1.0 Purpose of report

- 1.1 To present for approval the council's updated safeguarding children and vulnerable adults policy and procedures.
- 1.2 To present for approval the council's modern slavery statement for 2018/19.
- 1.3 To provide members with an update on safeguarding improvements.

2.0 Recommendations

- 2.1 That the revised safeguarding children and vulnerable adults' policy and procedures are approved.
- 2.2 That the Cabinet Member for Health and Wellbeing is given delegated authority to approve essential safeguarding policy and procedure amendments between the formal review periods.
- 2.3 That a review of the safeguarding policy, procedures and arrangements takes place after a further two years.

2.4 That the modern slavery statement is approved for 2018/19.

3.0 Background

3.1 Local authorities have a duty under section 11 of the Children Act 2004 to ensure their functions and services provided on their behalf are discharged with regard to the need to safeguard and promote the welfare of children. The 2015 working together to safeguard children guidance details the inter-agency working expected to safeguard and promote the welfare of children.

3.2 Local authorities have a duty under section 47 of the NHS and Community Care Act 1990 in respect of safeguarding vulnerable adults. The Department of Health Circular LAC (2000)7 placed a duty on Derbyshire County Council to lead on the implementation of "No Secrets Guidance" and the development of multi-agency policies and procedures to protect Vulnerable Adults from abuse. Chesterfield Borough Council must have due regard to and is bound to operate within the legislation and associated guidance.

3.3 The Safeguarding Vulnerable Groups Act 2006 as amended by the Police and Crime Act 2009 also places a specific duty on Local Authorities in respect of the disclosure of information to the Independent Safeguarding Authority (ISA – formerly the Independent Barring Board IBB) pertaining to relevant Children and Vulnerable Adults.

3.4 In June 2015 a safeguarding audit was carried out to consider if improvements could be made to our safeguarding arrangements. Several areas for improvement were identified and an action plan developed. Chesterfield Borough Council worked with Derbyshire County Council to ensure we have a solid safeguarding foundation in order to effectively safeguard and promote the welfare of children and vulnerable adults within our borough.

4.0 Safeguarding improvements

4.1 Since the 2015 review of safeguarding significant improvements have been made. Our improvement journey has been aided by engaging in both Derbyshire County Council led audits during the period and our own internal audit review during 2017/18. Our November 2017 review of safeguarding concluded that all

currently identified safeguarding improvements are on track to be completed by 31 March 2018.

4.2 Key improvements include:

- Designated safeguarding leads have been identified in each service area
- CBC (and service delivery partners Arvato and Kier) Safeguarding Group established to review and monitor relevant policies, procedures and practices, identify, support and share best practice and to consider emerging issues
- Derbyshire districts safeguarding group established with support from Derbyshire County Council. This ensures district views are represented, key messages are cascaded and that peer to peer support is available
- New safeguarding children and vulnerable adults policy and procedures approved with a commitment to a review a minimum of every two years
- Other key policies and procedures including whistle blowing, disclosure and barring, code of conduct, recruitment and selection and procurement have been updated or are in the process of being updated to support safeguarding improvement
- Contract information has been reviewed and improved for key service areas
- Updated communication and resources available to all staff via aspire and safeguarding information posters displayed in all staff areas
- Training programme including e-learning and face to face briefings available to all staff and members. Relevant employees are also accessing more specialist training organised by safeguarding boards and Safer Derbyshire as appropriate
- The council is committed to engage with Derbyshire County Council audit processes annually and have added safeguarding to the internal audit programme of work with regular reviews scheduled

5.0 **Updated safeguarding children and vulnerable adults policy and procedures**

5.1 Following the 2015 safeguarding review a priority action was updating the council's safeguarding policy and procedures which were approved in December 2015. We made a commitment to review this policy and procedure a least every two years.

5.2 The safeguarding group drawing on findings from Derbyshire County Council audit activity and policy updates, our internal audit of the service and various changes to national guidance have reviewed and updated the policy and procedures. Key updates include more information on types of abuse and potential indicators including neglect and self-neglect, additional information about human trafficking and modern slavery and further clarity on the referrals process.

5.3 The updated policy and procedures is attached at appendix A.

6.0 Modern slavery statement

6.1 The Modern Slavery Act 2015 consolidates various offences relating to human trafficking and slavery. In broad terms:

- 'slavery' is where ownership is exercised over a person
- 'servitude' involves coercion to oblige a person to provide services
- 'forced and compulsory labour' is where a person works or provides services on a non-voluntary basis under the threat of a penalty
- 'human trafficking' involves arranging or facilitating the travel of a person with a view to exploiting them

6.2 Section 52 of the Act imposes a duty on public authorities, including district councils, to notify the Secretary of State of suspected victims of slavery or human trafficking.

6.3 Section 54 of the Act imposes a legal duty on organisations, which supply goods and/or services from or to the UK and have a global turnover above £36 million, to publish a slavery and human trafficking statement each financial year. On the introduction of the act it was unclear if local authorities and other public sector bodies were covered by the requirement. Recent additional guidance clarifies that public sector bodies also need to comply with this legislation.

6.4 The proposed modern slavery statement for 2018/19 is attached at appendix B. The statement covers:

- Modern slavery act requirements
- The standards we will meet and expect others we do business with to meet
- Supply chains
- How modern slavery links into our policies and plans
- Training and awareness raising
- Partnership working

6.5 The statement will be reviewed annually and published on the council's website.

7.0 Risk management

Risk	Impact	Likelihood	Mitigating Actions	Residual Impact	Residual Likelihood
Inadequate policies, procedures, learning and development and partnership working to safeguard children and vulnerable adults living in our communities and using our services, and to protect the council, its staff (including agency staff), elected members and volunteers.	H	M	<p>Completion of the safeguarding action plan.</p> <p>Engaging in the annual DCC audit process and continuing to support effective partnership arrangements.</p> <p>Regular internal audits.</p> <p>Reviewing safeguarding arrangements, policies and procedures at a minimum two yearly intervals.</p>	H	L
Staff and elected members not engaging effectively in safeguarding issues leading to the under-reporting of concerns.	H	M	<p>Mandatory safeguarding training and regular briefings to encourage engagement.</p> <p>Regular reviews of safeguarding concerns and actions by CBC safeguarding group.</p>	H	L

8.0 Equalities

8.1 Equality analysis of the safeguarding approach has been considered and no negative impacts for protected characteristics identified. These arrangements make significant positive contributions to all groups but in particular children and vulnerable adults.

9.0 **Recommendations**

9.1 That the revised safeguarding children and vulnerable adults' policy and procedures are approved.

9.2 That the Cabinet Member for Health and Wellbeing is given delegated authority to approve essential safeguarding policy and procedure amendments between the formal review periods.

9.3 That a review of the safeguarding policy, procedures and arrangements takes place after a further two years.

9.4 That the modern slavery statement is approved for 2018/19.

10.0 **Reason for recommendations**

10.1 To effectively safeguard and promote the welfare of children and vulnerable adults within our borough.

Decision information

Key decision number	796
Wards affected	ALL

Document information

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Appendices to the report	
Appendix A	Safeguarding policy and procedures
Appendix B	Modern slavery statement