



# Malvern Hills District & Wychavon District Councils Safeguarding Policy

Procedures, Protocols and Practice

## VERSION CONTROL

### Version Control

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| 11.05.18      | Amanda Smith | 1.0     | Amalgamation of existing council separate policies into a single joint policy.. |
|               |              |         |   |

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## 1. FOREWORD

At a time when the safeguarding of children and adults with care and support needs has never been a greater concern, Malvern Hills District Council and Wychavon District Council felt it was important to review their Safeguarding Policy to ensure its arrangements adequately reflect the additional responsibilities currently being placed on it, and that these additional requirements are being fully considered in the approach being taken to protect people from abuse.

We are therefore pleased to introduce this revised Joint Safeguarding Policy which aims to outline the responsibilities of both Councils, and how they dovetail with other agencies, to safeguard children and adults with care and support needs from harm and abuse.

We believe that everyone has the right to be safe from harm, deserve the opportunity to fulfil their full potential and to have their rights and choices protected, and as such this Safeguarding Policy is both Council's commitment to this.



**Jack Hegarty**

Chief Executive / Managing Director

Malvern Hills District & Wychavon District Councils

## 2. EXECUTIVE SUMMARY

In recent years safeguarding duties placed on the district councils have been extended beyond safeguarding children and adults with care and support needs to encompass domestic abuse and violence, child sexual exploitation, honour based abuse and forced marriage, female genital mutilation and prevent (the Government's Counter Terrorism Strategy).

More recently responsibilities have been further extended to ensure district councils has within the organisation policies, procedures and practices in place to champion e-safety and that processes are in place for disseminating learning from domestic homicide reviews, serious case reviews and other reviews of this nature.

This overarching Joint Safeguarding Policy aims to ensure that a consistent approach to safeguarding exists across all Council policies. It outlines key roles and responsibilities of individual officers and elected members to embed safeguarding policies, practices and procedures into both Councils to reflect the additional requirements of these additional responsibilities.

In carrying out these duties the both Councils works in partnership with other agencies with a role to play in relation to the welfare of its residents, aiming to ensure they are protected against abuse, neglect and exploitation.

### 3. POLICY STATEMENT

Malvern Hills District Council and Wychavon District Council are committed to working in partnership with others to safeguard its residents from all forms of abuse, neglect or exploitation. Both Councils will raise awareness of safeguarding issues to ensure that the needs and interests of children, young people and adults with care and support needs are incumbent in decision making processes and through service provision.

This Policy aims to ensure that an overarching approach to safeguarding is embedded within all Council services and that staff, elected members, volunteers and those delivering contracts on behalf of the Councils understand their role and responsibilities in supporting all residents to live a life free from abuse, exploitation and intimidation.

Both Councils will create an environment where staff, volunteers and elected members are adequately trained and encouraged to think of safeguarding as being their responsibility, understanding the need for them to play a full and active part in the delivery of the Council's response. External training providers will be used to deliver training where necessary.

The Councils will ensure that its Joint Policy complies with all relevant legislation, a summary of which is listed in **Annex I: Legislative Framework**, and as such we will review our policies, procedures, protocols and practices on an annual basis.

## 4. EFFECTIVE INFORMATION SHARING

The Government has streamlined and simplified its approach to information sharing. In March 2015, it published a comprehensive package of information sharing guidance. The guidance includes:

- Her Majesty's Government 'Working Together to Safeguard Children' statutory guidance which spells out the legislative requirements and expectations on individual services to safeguard and promote the welfare of children, and provides a clear framework for Local Safeguarding Children Boards to monitor the effectiveness of local services.
- Information Sharing: Advice for practitioners providing safeguarding services to children, young people, parents and carers specifically for all frontline practitioners and senior managers working in child and/or family services who have to make decisions about sharing personal information on a case by case basis. This simplifies current legislation and guidance into six overarching principles, and dispels common information sharing myths.

When there is a reasonable cause to believe that a person or persons may be suffering or may be at risk of suffering significant harm, consideration will always be given to referring these concerns to Worcestershire County Council Children's or Adults Social Care departments (as appropriate) and/or the Police.

Information about children, young people, families and adults with care and support needs will be shared appropriately, and always in accordance with the Worcestershire Partnership's Protocol for Sharing Information between Children's Trust agencies working for Children and Young People in Worcestershire.

Both Council's mechanisms for information sharing in relation to reporting disclosures<sup>1</sup> can be found in **Annex A: Flow Chart for Reporting Disclosures** and **Annex B: Disclosure Form** respectively.

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<sup>1</sup> A **disclosure** is the act or process of revealing, uncovering or the sharing of information.

## 5. SCOPE OF POLICY

### **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.

Information on types of abuse of children can be found in **Annex G: Types of Abuse of Children and Adults with care and support needs.**

### **Safeguarding 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 to make informed choices without coercion.

Information on types of abuse of adults can be found in **Annex G: Types of Abuse of Children and Adults with care and support needs.**

### **Child Sexual Exploitation**

Child Sexual Exploitation (CSE) is 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.

### **Domestic Abuse and Violence**

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

## **Honour Based Abuse, including Female Genital Mutilation and Forced Marriage**

Honour based abuse is violence and abuse in the name of honour, covering a variety of behaviours (including crimes), mainly but not exclusively against females, where the person is being punished by their family and/or community for a perceived transgression against the 'honour' of the family or community, or is required to undergo certain activities or procedures in 'honour' of the family.

Female Genital Mutilation (FGM) is a collective term for illegal procedures which include the removal of part/all external female genitalia for cultural or other non-therapeutic reasons. The practice is not required by any religion. It is painful, medically unnecessary and has serious health consequences at the time it is carried out and in later life. The procedure is typically performed on girls of any age, but is also performed on new born girls and on young women before marriage/pregnancy. A number of girls die as a direct result of the procedure, from blood loss or infection. FGM may be practised illegally by doctors or traditional health workers in the UK, or girls may be taken abroad for the operation.

A forced marriage "is a marriage conducted without the valid consent of both parties, where duress is a factor" ('A Choice by Right' HM Government 2000).

### **Prevent**

Prevent is a Government Strategy led by the Home Office and 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 priority for statutory partners and their partners.

### **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.

Details of the lead agency, relevant protocols and Council lead officers appointed to drive and champion these issues throughout the Council can be found at **Annex F: Essential Contacts, Lead Agencies and Protocols.**

## 6. APPROACH TO IMPLEMENTING THE POLICY

Whilst other partnerships and organisations, as referred to in section 7 of this Policy, have roles in co-ordinating and ensuring the effectiveness of the Council's work to safeguard and promote the welfare of children and adults with care and support needs, they are not accountable for the Council's operational work. Both Councils retains its own lines of accountability for safeguarding and promoting the welfare of children and adults with care and support needs through its own service delivery and provision.

All staff, volunteers and elected members are to ensure they familiarise themselves and comply with the Council's Safeguarding Policy and associated procedural documents. See **Annex D: Malvern Hills District Council Staff and Elected Members Roles and Responsibilities.**

All staff, volunteers and elected members must participate in relevant training to recognise the varying forms of abuse and report any concerns, incidents or allegations to the Council's Named Safeguarding Officer in line with the relevant procedures.

It is the responsibility of staff and elected members to consider safeguarding implications in their decision making processes, including the procurement of services.

All external organisations and contractors providing services to the Council are required to comply with the Council's Safeguarding Policy as a minimum standard. Where relevant they should have their own safeguarding policy and procedures in place.

Whilst safeguarding is the responsibility of all Council staff, volunteers, elected members and contractors, there are a number of safeguarding roles within the Council with specific responsibilities briefly set out below:

| Role            | Responsibilities   |
|-----------------|--|
| Elected Members | <p>Scrutinise the Council's Safeguarding Policy and safeguarding reports to relevant Committees.</p> <p>Portfolio Holder / Board Member with responsibility for safeguarding have responsibility for approving any policy amendments.</p> <p>Portfolio Holder / Board Member with responsibility for safeguarding will act as the Council's safeguarding champion.</p> <p>Uptake necessary training to know how to recognise and respond to concerns that a child, young person or</p> |

| Role                         | Responsibilities   |
|------------------------------|--|
|                              | vulnerable adult may be abused or neglected.   |
| Senior Management Team       | <p>Raise the profile, support the Policy and promote the development of initiatives to ensure the protection of residents within the district.</p> <p>Allocate resources to enable the Councils to meet its responsibilities.</p> <p>Monitor staff and elected member training.</p> <p>Scrutinise and authorise Annual Action Plans.</p>   |
| Named Safeguarding Officer   | <p>Development of Policy, issuing operational guidance, promoting good practice and making policy recommendations to Council.</p> <p>Submit annual progress reports to Senior Management Team and relevant Committees to ensure that the Council's Safeguarding Policy is being met.</p> <p>Make a referral to the Local Authority Designated Officer (LADO) as appropriate.</p> <p>Ensure that action taken is coordinated and monitored.</p> <p>Development of an annual safeguarding action plan.</p> |
| Safeguarding Support Officer | <p>Oversee the implementation of the annual safeguarding action plan.</p> <p>Coordinate audits for submission to the Worcestershire Safeguarding Children Board.</p> <p>Support and advise the Council's contractors, leaseholders and grant recipients on the development of safeguarding policies, where necessary.</p>  |

| Role             | Responsibilities   |
|------------------|--|
| Service Managers | <p>Make staff aware of their duty to report any allegations or suspicions of abuse to the Named Safeguarding Officer and the procedure for doing so.</p> <p>Operate safe recruitment practices and routinely take up and check references.</p> <p>Adhere to and operate within the Council's Whistleblowing Policy and support staff that raise concerns.</p> <p>Ensure all staff receives training in safeguarding consistent with their job roles and responsibilities.</p> <p>Monitor compliance with Council's Safeguarding Policy with contractors, leaseholders and grant recipients as appropriate.</p> |

The Council's compliance with Local Government Association (published in February 2009) safeguarding checklist can be found in **Annex E: The Role of District Council's in Safeguarding Checklist.**

## 7. WORKING TOGETHER: KEY PARTNERSHIPS AND ORGANISATIONS

The Council will work with other agencies to prevent the abuse of its residents in all its forms.

### **Worcestershire Safeguarding Children Board**

The Worcestershire Safeguarding Children Board has a wide range of responsibilities, including the development and review of procedures to protect children; the provision of training for staff and volunteers who work with children; reviewing the death of all children to find out what lessons can be learnt to safeguard other children and raising public awareness of safeguarding.

The Board, which was established in 2006 as a statutory requirement of the Children Act 2004, includes membership from local authorities, including district councils; police; probation service and NHS bodies. Worcestershire district councils are currently collectively represented on the Worcestershire Safeguarding Children Board by Wyre Forest District Council.

Further information on the roles and responsibilities of the Worcestershire Safeguarding Children Board can be found on:

[www.worcestershire.gov.uk](http://www.worcestershire.gov.uk)

### **Worcestershire Safeguarding Adults Board**

The Worcestershire Safeguarding Adults Board is the main forum for making sure that we keep safe those adults with care and support needs who are at risk of abuse and neglect and unable to protect themselves.

The Board, which was established in 2003, includes membership from the County Council, NHS, Police, Healthwatch, a carer's representative and the voluntary sector.

The Care Act 2014 places a duty on the Council to cooperate with the Worcestershire Safeguarding Adults Board.

Further information on the roles and responsibilities of the Worcestershire Safeguarding Adults Board can be found on:

[www.worcestershire.gov.uk](http://www.worcestershire.gov.uk)

### **South Worcestershire Community Safety Partnership**

The Crime and Disorder Act 1998 placed a duty on local authorities and the Police to form a local partnership and cooperate in the development and implementation of a strategy for tackling crime and disorder in the area. This local partnership is known as the South Worcestershire Community Safety Partnership, to which the Council is a member. The Partnership brings together the existing work to reduce crime and

improve community safety and acts as the formal body to meet the requirements of the Act.

It is also a statutory requirement for the Partnership to undertake a multi-agency Domestic Homicide Review (DHR) following a domestic homicide to identify what needs to change to reduce the risk of further incidents.

### **Worcestershire County Council Social Care**

Worcestershire County Council has responsibilities as the Children's Service Authority and Social Services Authority for Worcestershire. All safeguarding concerns, incidents and allegations regarding the welfare of an adult with care and support needs will be reported to Worcestershire County Council Access Centre. All safeguarding concerns, incidents and allegations regarding the welfare of a child will be reported to Worcestershire County Council Family Front Door. The relevant officers at Worcestershire County Council are responsible for coordinating any investigation. These are referred to as Local Authority Designated Officers.

### **West Mercia Police**

West Mercia Police have an essential role in protecting children and adults with care and support needs from abuse and are under a legal duty to carry out their functions 'having regard to' (taking account of) the need to protect and promote the welfare of children.

Section 11 of the Children Act 2004 states that police and crime commissioners (formally police authorities) and the chief officer of each police force in England must make sure that they protect and promote the welfare of children. This means that, while officers from the child abuse investigation unit (CAIU) have a critical role to play in child safeguarding, it is not just down to them, it is a basic part of the duties of all police officers.

As well as their duty to investigate criminal offences, West Mercia Police have emergency powers to enter premises and make sure they can provide immediate protection for children and adults with care and support needs believed to be suffering, or likely to suffer, significant harm.

The contact details for these agencies and organisations can be found in **Annex F: Essential Contacts, Lead Agencies and Protocols.**

A list of useful safeguarding organisations can be found on the Worcestershire County Council website: [www.worcestershire.gov.uk](http://www.worcestershire.gov.uk)

## 8. SUPPORTING DOCUMENTS

| <b>Annex</b> | <b>Description</b>  |
|--------------|---|
| <b>A</b>     | Malvern Hills District Council Flow Chart for Reporting Disclosures                 |
| <b>B</b>     | Malvern Hills District Council Disclosure Form                                      |
| <b>C</b>     | Escalating a Concern  |
| <b>D</b>     | Malvern Hills District Council Staff and Elected Members Roles and Responsibilities |
| <b>E</b>     | The Role of District Councils in Safeguarding Checklist                             |
| <b>F</b>     | Essential Contacts, Lead Agencies and Protocols                                     |
| <b>G</b>     | Types of Abuse of Children and Adults with care and support needs                   |
| <b>H</b>     | Glossary of Terms   |
| <b>I</b>     | Legislative Framework   |

## 9. POLICY ENQUIRIES

For queries regarding this policy please contact:

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