Rhondda Cynon Taf County Borough Council

Corporate Safeguarding Policy

April 2016
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1. Introduction
Safeguarding and protecting children and adults at risk is a high priority for Rhondda Cynon Taf County Borough Council.

This Corporate Safeguarding Policy provides a framework for every Service within the Council setting out responsibilities in relation to safeguarding and protecting children and adults at risk as well as the methods by which the Council will be assured that it is fulfilling its duties.

This policy applies to all Rhondda Cynon Taf employees, councillors, volunteers and also service providers that are commissioned by the Council.

*Safeguarding is everyone's business whether they work for, or on behalf of the Council*

2. Objectives of this Policy
• To set out how Rhondda Cynon Taf County Borough Council will meet its obligations towards the safeguarding of children and adults at risk;

• To give assurances to the public, councillors, staff, volunteers and people carrying out work on behalf of the Council that there are sound arrangements in place to safeguard children and adults at risk.

3. Principles
• Every child and adult at risk (whatever their background, culture, age, disability, gender, ethnicity, religious belief) has a right to participate in a safe society without any violence, fear, abuse, bullying or discrimination.

• Every child and adult at risk has the right to be protected from harm, neglect exploitation and abuse.

• All councillors, employees and volunteers who work for or with the Council have a responsibility for protecting children and adults at risk from abuse and neglect and working in a way that promotes and supports their best interests.

• The Council will invest in preventative and early intervention services and endeavour to prevent situations arising where abuse, neglect or harm may occur.

4. Scope
The Social Services and Well-being Act 2014 states:-
• a child at risk is a child who is experiencing or is at risk of abuse, neglect or other kinds of harm and;
• has needs for care and support whether or not the authority is meeting any of those needs.
• an adult at risk is an adult who is experiencing or is at risk of abuse, neglect,
• has needs for care and support whether or not the authority is meeting any of those needs and;
• as a result of those needs is unable to protect him or herself against the abuse or neglect or the risk of it.

5. Related legislation, policy and guidance
Legislation which is contained within the various Acts and guidance that are identified below enshrine the right to protection from abuse. The legal starting point in achieving this objective is professionals' duty to report allegations of abuse and neglect. The law also identifies the Local Authority as the lead organisation in making enquiries to identify whether an individual is at risk and in coordinating the response to protect. In practice this is never achieved in isolation or without clear leadership and accountability for the work which is equally set out in law, along with the duty to cooperate and collaborate with others.

The Council recognises that good practice in safeguarding brings together all activity aimed at promoting safe practice with vulnerable groups and preventing abuse and neglect. For this reason, and because the law, policy, guidance and regulations change from time to time, it is impossible to provide an exhaustive list of relevant documents but the most significant items are included below:

- Social Services and Well Being Act 2014
- Education Act 2002 – plus ‘Keeping Learners Safe’
- ‘In Safe Hands’ 2000
- Section 17 of the Crime and Disorder Act 1998,
- Mental Capacity Act 2005
- Violence Against Women, Domestic Abuse and Sexual Violence (Wales) Act 2015
- Housing Act 2004
- Licensing Act 2003
- Human Rights Act 1998

The Council will ensure that practice is compliant with the following policies and procedures:

- All Wales Child Protection Procedures 2008 (subject to revision following the SSWB Act)
- Wales Interim Procedures for the Protection of Vulnerable Adults 2013 (subject to revision following the SSWB Act)
- RCT CBC Whistle-Blowing policy
- RCT CBC Recruitment Policies
- RCTCBC Dealing with Domestic Abuse & Sexual Violence
- Policy and procedures for Safeguarding children, young people and vulnerable adults (Education - March 2013)

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1 Human Rights Act 1989 and UNCRC 1989
2 Social Services and Wellbeing Act 2014
3 Children Act 1989 and Social Services and Wellbeing Act 2014
4 Children Act 2004
5 Children Act 1989, 2004 and Social Services and Wellbeing Act 2014
Employees and councillors should act in accordance with the relevant professional Code of Conduct.

The intention is that this Corporate Safeguarding Policy will supplement and not replace any responsibilities already set out in legislation, policy or guidance set out above.

6. Strategic context
At a strategic level, this approach to safeguarding supports the delivery of the Council’s three priorities as set out in the Corporate Plan,

- People – Promoting independence and positive lives for everyone
- Place – Creating neighbourhoods where people are proud to live
- Economy – Building a strong economy

It also supports the work the Council undertakes in partnership to meet the Vision of the Council and its partners in the Single Integrated Plan i.e.

- People in Rhondda Cynon Taf are safe, healthy and prosperous

At an All Wales level, keeping people safe contributes to the Wellbeing goals as set out in the Well-being of Future Generations Act to improve the economic, social, environmental and cultural well-being of Wales.

7. Governance
The Council will discharge its strategic statutory safeguarding responsibilities through its role as Lead Partner and membership of the Cwm Taf Safeguarding Children Board (CTSCB) and the Cwm Taf Safeguarding Adult Board (CTSAB).

The Boards are both multi-agency statutory partnerships which have responsibility

- CTSCB - To protect children who are experiencing, or are at risk of abuse, neglect or other kinds of harm and to prevent children from becoming at risk of abuse, neglect or other kinds of harm.
- CTSAB - to protect adults who, have needs for care and support (whether or not the local authority is meeting any of those needs), and are experiencing, or are at risk of, abuse or neglect. To prevent those adults from becoming at risk of abuse or neglect.

The Boards both have a statutory duty to develop Annual Plans on a regional basis and have an overall responsibility for challenging relevant agencies in relation to the measures that are in place to protect children and adults at risk.

The Council’s Democratic process for challenge is its Scrutiny function. The Overview & Scrutiny Committee will receive an annual report in respect of compliance with the corporate safeguarding policy.

The Statutory Director for Social Services Report will include an evaluation of the Council's corporate safeguarding arrangements.
8. Roles and responsibilities
All employees, councillors and volunteers have the duty to report concerns about abuse and neglect.

Children’s Services have the responsibility for receiving and responding to new concerns about children and Adult Services have the responsibility for receiving and responding to new concerns about adults at risk. All safeguarding concerns should be reported to the Cwm Taf Multi-Agency Safeguarding Hub (MASH).

Every Manager is responsible for:
- recruiting employees/volunteers in accordance with relevant HR policy, including (where required) Disclosure and Barring Service checks.
- ensuring safeguarding is part of every employee/volunteer's induction.
- identifying employees/volunteers who are likely to come into contact with children or adults at risk as part of their role.
- ensuring training is delivered commensurate with role.
- ensuring that all employees/volunteers are aware of how to report safeguarding concerns and to whom
- ensuring that all employees/volunteers are aware of the Council’s Whistleblowing Policy
- ensuring that employees/volunteers are aware that they must conduct themselves in a manner which safeguards and promotes the wellbeing of children, and adults at risk.
- providing employees/volunteers with guidance about safeguarding concerns as required.

Service Commissioners will be responsible for ensuring that contractual arrangements specify responsibilities in relation to safeguarding in accordance with this Policy and existing commissioning policy.

Contractors, sub-contractors or other organisations funded by or on behalf of the Council are responsible for arranging checks through the Disclosure and Barring Service (where required) and for ensuring that their staff comply with regulatory and contractual arrangements relating to safeguarding children and adults. Contractors are also responsible for informing relevant managers of the Council about any concerns they may have and to refer such safeguarding concerns to MASH.

All elected Members will be invited to attend training in respect of safeguarding children and adults at risk and additional safeguarding training needs, e.g. in relation to their portfolios will be addressed as part of ongoing Personal Development Reviews.

Lead Member for Corporate Safeguarding - the Leader of the Council acts as ‘champion’ for Corporate Safeguarding. The Lead Member will work closely with, and take professional advice from, a range of Senior Officers within the Authority, as appropriate. The Lead Member will liaise and consult with other Cabinet Members on individual matters likely to affect their portfolios as set out in the Council’s Scheme of Delegation.

Each Service Director through their Management Teams will be responsible for ensuring that all the statutory requirements in terms of safeguarding and promoting the welfare of children and adults at risk are addressed.

They are also responsible for putting in place appropriate systems within their service areas that ensure compliance with this policy:
- Ensuring appropriate training is delivered.
- Communicating information about who staff need to contact and making sure this information is reviewed regularly so that is up to date and accurate.
- Compiling a report in respect of their Safeguarding arrangements that will be used to inform the Director of Social Services’ Annual Report.

**Director of Corporate and Front Line Services** will work with the Council's statutory director for Social Services to ensure there are effective arrangements to safeguard and protect children and adults at risk across the Council. Specifically to:-
- monitor the implementation of and compliance with this Policy across the Council
- ensure that there is a corporate safeguarding training programme in place
- set clear lines of accountability
- ensure that there are lead safeguarding managers within each service area
- ensure that the Council implements the UN Convention on the Rights of the Child.
- ensure that annual service reports are prepared
- ensure that the annual corporate safeguarding report for Scrutiny is delivered

**Statutory Director of Social Services.** This role, as defined by the Social Services and Well-Being Act 2014, is fulfilled by the RCT Director of Community and Children’s Services and has the final and indivisible accountability to safeguard and promote the welfare of children and adults at risk. The annual service reports will be an opportunity for challenge and used to inform the 'Director of Social Services - Annual Report'.

**The Chief Executive** will ensure that there are effective safeguarding arrangements in place, including policies and procedures, that those policies and procedures are implemented, that there are effective governance arrangements in place and that all statutory requirements are being met.
9. Reporting a concern

Any employee with concerns regarding the safety of a child, or adult at risk, OR the behaviour of colleagues towards a child, or adult at risk, (See Appendix One) should contact the MASH immediately.

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<th>Report concerns about Children</th>
<th>Report concerns about Adults</th>
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<td>Tel: 01443 425006 and ask for MASH or e-mail: <a href="mailto:childrens.mash@rctcbc.gcsx.gov.uk">childrens.mash@rctcbc.gcsx.gov.uk</a></td>
<td>Tel: 01443 425003 and ask for MASH or email <a href="mailto:adultsatrisk@rctcbc.gcsx.gov.uk">adultsatrisk@rctcbc.gcsx.gov.uk</a></td>
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After 5.00pm, Monday to Friday and on weekends and Public Holidays.
Social Services Emergency Duty Team
Tel: 01443 743665

E-mail: SocialWorkEmergencyDutyTeam@rctcbc.gcsx.gov.uk

If a child, young person or adult at risk is considered to be in immediate danger, the Emergency services (Police, Ambulance, Fire and Rescue) must be contacted immediately.

More detailed information can be found on the Cwm Taf Safeguarding Children and Adult Boards websites.
http://www.cwmtafsafeguarding.org
What constitutes Abuse?

Social Services and Well-being Act 2014 (section 7 still draft)

Section 197(1) of the Act provides definitions of ‘abuse’ and ‘neglect’:

“abuse” means physical, sexual, psychological, emotional or financial abuse (and includes abuse taking place in any setting, whether in a private dwelling, an institution or any other place), and

“financial abuse” includes, having money or other property stolen; being defrauded; being put under pressure in relation to money or other property; having money or other property misused;

“neglect” means a failure to meet a person’s basic physical, emotional, social or psychological needs, which is likely to result in an impairment of the person’s well-being (for example, an impairment of the person’s health or, in the case of a child, an impairment of the child’s development);

The following is a non-exhaustive list of examples for each of the categories of abuse and neglect:

- Physical abuse - hitting, slapping, over or misuse of medication, undue restraint, or inappropriate sanctions;
- Sexual abuse - rape and sexual assault or sexual acts to which the person has not or could not consent and/or was pressured into consenting;
- Psychological abuse - threats of harm or abandonment, coercive control, humiliation, verbal or racial abuse, isolation or withdrawal from services or supportive networks; coercive control is an act or pattern of acts of assault, threats, humiliation, intimidation or other abuse that is used to harm, punish or frighten the victim
- Neglect - failure to access medical care or services, negligence in the face of risk-taking, failure to give prescribed medication, failure to assist in personal hygiene or the provision of food, shelter, clothing; emotional neglect
- Financial abuse in relation to people who may have needs for care and support -
  o unexpected change to their will;
  o sudden sale or transfer of the home;
  o unusual activity in a bank account;
  o sudden inclusion of additional names on a bank account;
  o signature does not resemble the person’s normal signature;
  o reluctance or anxiety by the person when discussing their financial affairs;
  o giving a substantial gift to a carer or other third party;
  o a sudden interest by a relative or other third party in the welfare of the person;
  o bills remaining unpaid;
  o complaints that personal property is missing;
  o a decline in personal appearance that may indicate that diet and personal requirements are being ignored;
  o deliberate isolation from friends and family giving another person total control of their decision-making.