

# Report

## Cabinet

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### Part 1

Date: 16 December 2020

### Subject **Corporate Safeguarding (2019/20) Executive Summary**

**Purpose** To establish an annual corporate safeguarding report which monitors, scrutinises and plans on the theme of “safeguarding” becoming fundamentally embedded within all aspects of Council services, functions and duties.

To provide Scrutiny with essential and key information to build their understanding and knowledge on the topic of “safeguarding” in order to allow them to effectively scrutinise the Council’s safeguarding practice.

To update Cabinet members on the work that has been undertaken to improve arrangements for safeguarding and protecting children and adults who require specific Council services and to ensure that these arrangements are effective. One of the main objectives during 2019/20 was to promote and ensure that *safeguarding involves us all* is adopted by all service areas within the council.

**Author** Mary Ryan, Service Manager, Safeguarding Unit  
Sally Ann Jenkins, Head of Children and Young People Services  
Lynsey Thomas, Consultant Social Worker, Safeguarding Unit

**Ward** N/A

**Summary** This is the third review of the annual corporate safeguarding report. The original report was established in November 2016 and sought to synthesise the various safeguarding reporting strands into one Corporate Safeguarding report which provides scrutiny information on how well the council is achieving on its safeguarding arrangements.

This report is out of timescale with the Cabinet timetabling functions due to Covid 19 measures imposed in March 2020 when it was due to be presented to Scrutiny committee and Cabinet. Safeguarding progress within the council has continued through the ‘lock down ‘ period and work that was planned has continued. For example the safeguarding champions are now embedded across the Council and currently meet virtually.

Other legislative changes that would have provided a challenge to the council and workforce is the Deprivation of Liberty Safeguards (DoLs) to Liberty Protection Safeguards (LPS) which were due to be implemented in October 2020 have been postponed until March 2022. This will enable the workforce and the regional consortium to plan, and train the workforce in readiness for the changes in practice. The Scrutiny Committee received the full Annual Report on Corporate Safeguarding on October 30<sup>th</sup> 2020, with the caveat that progress has been made in the intervening months, this report is now being presented to Cabinet.

The comments of the scrutiny committee from October 2020 are being addressed in detail in the forthcoming Corporate Safeguarding Report (2021/21) in March 2021.

**Proposal** To scrutinise and review the progress of the key priority work plans for both corporate safeguarding arrangements and the safeguarding specific teams as identified in 2019/20.

**Action by** Sally Jenkins (HOS) Mary Ryan (Service Manager Safeguarding)

**Timetable** N/A

This report was prepared after consultation with:

- Cabinet Member for Social Services
- Strategic Director People
- Head of Children and Young People Services
- Head of Finance
- Monitoring Officer
- Head of People and Business Change

## Signed

## Background

This is the third review of the annual corporate safeguarding report. The committee are advised that following a Welsh Audit Office Inspection in 2019 that the format and data presented within this report has required to be revised.

The committee are also advised that Welsh Government are due to implement a change to the Quality Standards (Key Performance Indicators) which provide the basic benchmark of performance for local authorities who deliver care and support to the people of Wales. The new performance data sets will commence from 1<sup>st</sup> April 2020 and will report to Welsh Government in March 2021. Welsh Government will not be externally publishing this data for any Local Authority for the first year. This means that the collection and presentation in terms of "Safeguarding" data for members to be aware of and scrutinise currently, and in future reports, will change from this year's report and in forthcoming reports. Authors of the report have attempted to be clear in terms of the data we currently provide and what the future reporting requirements will be from April 2020 onwards to Welsh Government. These changes have resulted in a more detailed report than committee have previously requested to receive, however, members are respectfully reminded that scrutinising the full safeguarding portfolio of duties and responsibilities is a corporate requirement.

Cabinet are advised the report is a combination of scrutiny requests for reporting to reduce and the Welsh Audit Office (WAO) directive on what needs to be shared with Scrutiny. Going forward, the service area is completing a self- assessment toolkit for all the council service areas to complete and this will provide the basis of future reports to scrutiny.

The committee are advised, in order to assure and improve the accountability for corporate safeguarding arrangements across Newport City Council, all future reports to scrutiny committee will comprise of the following information. A council-wide set of performance and information as identified by the WAO recommendations; presentation of the Welsh Government Key Performance measures for Safeguarding specifically, local indicators/ measures from the teams comprising the Safeguarding Unit, and the presentation of any identified risks/ challenges likely to be encountered within the authority and the actions available to mitigate these risks.

Newport City Council remains an active member of the “Gwent Safeguarding Board”, which is an amalgamation of the two former specific regional boards; the South East Wales Safeguarding Children’s Board (SEWSCB) and Gwent Wide Adult Safeguarding Board (GWASB). Newport continue to host the regional Violence against Women, Domestic Abuse and Sexual Violence (VAWDASV) team and work closely with the regional Partnership Board (VAWDASVB).

There are three specific areas of stress/ risk in this period for Members to be aware of:-

- The first is in relation to the resource and financial implications of the review of Disclosure and Barring Service (DBS) re-checks within Education and school services. This scoping work has continued during 2020/21 as an area that for the Council that requires attention.
- Secondly, Adult and Children Services will be required to manage the practice and process changes in relation to the launch of the Wales Safeguarding Procedures. These will include; “Safeguarding allegations/ Concerns about Practitioners and those in positions of trust”- Managing Professional Concerns. Members are advised that all these areas of national safeguarding procedures have been adopted into process and practice within adult and children services.
- The third pressure for the Council was the pending changes in the legislation for the Deprivation of Liberty Safeguards (DoLS) to Liberty Protection Safeguards (LPS) being implemented all within a 7 month period (April- October 2020). This is now postponed until March 2022.

Cabinet are requested to consider the rates of corporate compliancy in relation to the elearning safeguarding mandatory training introduced this year. The second mandatory training required by all officers is the Violence against Women Domestic Violence and sexual violence (VAWDASV) training, the council need to encourage compliancy for the new elearning for safeguarding and remind all officers of the Welsh Government requirement to complete the Ask and Act elearning as part of the VAWDASV legislation.

## **Financial Summary**

- The costs for the full council to take on the safeguarding proposals for mandatory training across each service will not incur or require additional finances. Each directorate will be responsible for the completion of both mandatory elearning packages and performance monitoring.

## **Risks**

The risks for the Council by not accepting this proposal have been raised within the Welsh Audit Office recommendations as an area that requires development across the Corporate agenda. The risks identified are to ensure that employees and citizens of Newport receive services by a knowledgeable staff group that understands and are aware of their duty to report safeguarding concerns that they come across while delivering services on behalf of the council and officers are aware of their responsibility and how to raise concerns in order to protect vulnerable citizens. The risks for Newport citizens will be minimised by ensuring the Council is a responsible and accountable authority with an understanding that safeguarding involves us all. It will also raise the knowledge and expertise across the council for all safeguarding issues in the community and within the work place.

You will need to complete the following Risk table

Risk	Impact of Risk if it occurs* (H/M/L)	Probability of risk occurring (H/M/L)	What is the Council doing or what has it done to avoid the risk or reduce its effect	Who is responsible for dealing with the risk?
Elearning for Safeguarding and VAWDASV to be mandated throughout the council	M	L	Introduced safeguarding champions across the council to promote safeguarding involves us all. Champions disseminate Safeguarding awareness and updates within own service areas to address training needs. Officers will understand the duty to report when they come across vulnerable citizens in the community and know what is required and where to refer to.	Mary Ryan Safeguarding Lead for the Council.  Any risks identified will be addressed with specific Head of Service

### Links to Council Policies and Priorities

This proposal directly enhances the Councils priorities and plans within all Corporate services. The Council safeguarding statement clearly sets out the expectations on all who deliver services on behalf of the Council;

*“Newport City Council expects all employees to take reasonable steps to ensure that the safety and wellbeing of the children and adults they may come into contact with is upheld and that all employees (paid or voluntary) recognise and respond to their duty of care to objectives. to be responsible.*

All Council plans including the Corporate plan, the improvement plan, Strategic Well-Being and future generations plan, Strategic director for people plan and service area plans with Social Services all include ensuring we deliver a safe and inclusive community for the citizens of Newport.

### Options Available and considered

1. Council view safeguarding training as a social services responsibility only.
2. Council acknowledge the importance of having an informed and responsible workforce aware of legislative requirement for safeguarding citizens when representing the council.

### Preferred Option and Why

Option 2 is the preferred option as it reflects the Corporate plan of ensuring we deliver a fair, safe and learning environment for the workforce and citizens. It takes on board all Welsh Office Audit recommendations and is in line with the Social Services and Well-Being Act (2014) also enhances the Well-Being and future generations Act, includes the VAWDASV legislation and demonstrates a forward thinking inclusive Council.

### Comments of Chief Financial Officer

There are no additional financial resources required for the E-learning Safeguarding training proposal.

The 20/21 Corporate Safeguarding report will address other risk areas and comments of the Chief Financial Officer will be provided on the 20/21 report.

## **Comments of Monitoring Officer**

There are no specific legal issues arising from the Report, which simply updates Cabinet on the progress made in implementing the arrangements for corporate safeguarding in relation to children and vulnerable adults in accordance with the annual Corporate Safeguarding Plan. The Report identifies three specific areas of concern, increased DBS checking within Education, the implementation of the Wales Safeguarding Procedures and the changes to the DoLS procedures, all of which will increase pressures on the services and resources. The report also highlights the need for increased VAWDASV training.

## **Comments of Head of People and Business Change**

The report recommends that all our workforce are informed and responsible, with an awareness of legislative requirements in relation to safeguarding. Therefore there is a requirement for our organisational development programme to reflect these requirements, should Cabinet agree with the recommended proposal. The areas of risk identified will also have both resourcing and staffing implications which will need to be considered within Service Plans and, potentially, the Corporate Risk Register.

Safeguarding is critical for the well-being of our citizens and therefore supports our Well-Being Objectives and Plan.

## **Comments of Cabinet Member**

The Cabinet Member has approved the report for consideration by Cabinet.

## **Local issues**

N/A

## **Scrutiny Committees**

Meeting of Overview and Scrutiny Management Committee, October 30<sup>th</sup> 2020.



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## **Equalities Impact Assessment and the Equalities Act 2010**

The Equality Act 2010 contains a Public Sector Equality Duty which came into force on 06 April 2011. The Act identifies a number of 'protected characteristics', namely age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; sexual orientation; marriage and civil partnership. The new single duty aims to integrate consideration of equality and good relations into the regular business of public authorities. Compliance with the duty is a legal obligation and is intended to result in better informed decision-making and policy development and services that are more effective for users. In exercising its functions, the Council must have due regard to the need to: eliminate unlawful discrimination, harassment, victimisation and other conduct that is prohibited by the Act; advance equality of opportunity between persons who share a protected characteristic and those who do not; and foster good relations between persons who share a protected characteristic and those who do not. The Act is not overly prescriptive about the approach a public authority should take to ensure due regard, although it does set out that due regard to advancing equality involves: removing or minimising disadvantages suffered by people due to their protected characteristics; taking steps to meet the needs of people from protected groups where these differ from the need of other people; and encouraging

people from protected groups to participate in public life or in other activities where their participation is disproportionately low.

### **Children and Families (Wales) Measure**

Although no targeted consultation takes place specifically aimed at children and young people, consultation on planning applications and appeals is open to all of our citizens regardless of their age. Depending on the scale of the proposed development, applications are publicised via letters to neighbouring occupiers, site notices, press notices and/or social media. People replying to consultations are not required to provide their age or any other personal data, and therefore this data is not held or recorded in any way, and responses are not separated out by age.

### **Wellbeing of Future Generations (Wales) Act 2015**

Report writes need to indicate how they have considered the five things public bodies need to think about to show they have applied the sustainable development principle put into place by the Act. You will need to demonstrate you have considered the following:

- Long term: the importance of balancing short- term needs with the need to safeguard the ability to also meet long – term needs
- Prevention: How acting to prevent problems occurring or getting worse will address legislative requirements under the Social Services and Well-Being Act (2014).
- Integration: An informed workforce with clear understanding of safeguarding responsibilities while in the community will assist in achieving our wellbeing objectives, and wellbeing goals. The Safeguarding multi agency Hub with co-located partners achieves integration and improved communication with all public bodies with safeguarding responsibilities.
- Collaboration: Is key within the Council and wider partner agencies to achieve our wellbeing objectives.
- Involvement: The importance of involving people with an interest in achieving the wellbeing goals, and ensuring that those people reflect the diversity of the City we serve.

### **Crime and Disorder Act 1998**

Section 17(1) of the Crime and Disorder Act 1998 imposes a duty on the Local Authority to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area.

### **Consultation**

Comments received from wider consultation, including comments from elected members, are detailed in each application report in the attached schedule.

### **Background Papers**

Annual Safeguarding Report 2019/20

25/11/2020