



Forest of Dean
— DISTRICT COUNCIL —

Safeguarding Policy and Procedures



Safeguarding is Everyone's Concern

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This Policy will be reviewed on an annual basis.

I. Introduction and Background

Forest of Dean District Council (the Council) has a commitment to safeguarding which is primarily about protecting vulnerable adults, young people or children from harm, abuse or neglect, but also has a wider remit around early prevention, health, wellbeing and human rights. This is demonstrated through its policies, recruitment processes and the work it does in partnership with others.

Safeguarding is not a practice that operates in isolation, but cuts across every service and function undertaken and has direct links with other policies; it therefore needs to be embedded within the organisation.

The Council has a statutory responsibility and a duty of care to cooperate and report issues relating to safeguarding to the appropriate authorities and partner agencies.

The policy aims to:

- Raise awareness of safeguarding, the signs of abuse and information on what to do if any form of abuse is identified or suspected
- Protect children and vulnerable adults from harm while using services that the Council is responsible for (both directly provided and commissioned) by ensuring services have safe working practices in place
- Ensure that employees, casual workers, volunteers and elected members associated with Forest of Dean District Council are able to report any safeguarding concerns appropriately
- Ensure employees, casual workers, volunteers and elected members have effective training and support to allow them to safeguard children and vulnerable adults
- Work in a way that safeguards children, young people and vulnerable adults from harm and supports their development as members of the local community
- Ensure procedures are in place to protect the child, young person or vulnerable adult first and foremost when suspected abuse or actual abuse is reported and that all employees, contracted organisations and volunteers providing services for children, young people and vulnerable adults understand these procedures
- Understand when abuse is reported it is recognised that the child, young person or vulnerable adult is potentially at risk and their safety is paramount
- Share information when needed in compliance with our Data Protection Policy, Data Protection legislation (General Data Protection Regulations (GDPR) and Data Protection Act 2018

2. Definitions:

Safeguarding and promoting the welfare of children and young people is defined as:

- Protecting children and young people from maltreatment
- Preventing impairment of children and young people's health or development
- Ensuring that children and young people grow up in circumstances consistent with the provision of safe and effective care

- Taking action to enable all children and young people to have the best outcomes

A vulnerable adult is defined as someone who:

- Has needs for care and support (whether or not the local authority is meeting any of those needs)
- Is experiencing, or at risk of, abuse or neglect
- As a result of those care and support needs is unable to protect themselves from either the risk of, or the experience of abuse or neglect

Child protection is part of this definition and refers to activities undertaken to prevent children suffering, or being likely to suffer, significant harm.

Abuse is a form of maltreatment of a child or young person or vulnerable adult and may involve inflicting harm or failing to act to prevent harm.

Neglect is a form of abuse and is the persistent failure to meet a child or young person's basic physical and/or psychological needs, likely to result in the serious impairment of the child or young person's health or development.

Children includes everyone under the age of 18

3. Responsibilities

The Council

The Council has a duty under the Children Act 2004 to ensure that it considers the need to safeguard and promote the welfare of children when carrying out its functions.

The council's role for safeguarding vulnerable adults is governed by the Care Act 2014 and the responsibilities apply to adults who: have care and support needs; are experiencing or are at risk of abuse or neglect; are unable to protect themselves from risk of, or are experiencing, abuse or neglect.

The Council is a member of various countywide partnerships that support the safeguarding of children, young people and vulnerable adults, in particular, Gloucestershire Safeguarding Adults Board (GSAB) and the Gloucestershire Safeguarding Children Board (GSCB).

The Council will ensure that:

- It meets its legal obligations
- Where applicable, the safeguarding of children, young people and vulnerable adults is considered in strategies, plans and services
- The best safeguarding practices are embedded and maintained across all services to ensure continuous improvement and compliance with national and local policies
- All safeguarding matters relating to safeguarding are expedited in a timely manner and treated seriously

- Support staff and members on all aspects of safeguarding and ensure procedures are adhered to

Staff

Forest of Dean District Council Staff will:

- Treat all safeguarding matters seriously
- Report any concerns following the procedures in Point 9 below
- Be aware of the policies
- Complete safeguarding training relevant to their role

Elected Members

Elected members are uniquely placed to support the safeguarding of children, young people and vulnerable adults within their community. They can also provide effective leadership to ensure that the Council is fulfilling its corporate responsibility. Elected members should always:

- Report their concerns about a child, young person or vulnerable adult's welfare or someone else's behaviour in regards to a child, young person or vulnerable adult as outlined in this policy
- Adopt good practice in terms of safeguarding at all times when carrying out their council duties
- Seek support or raise concerns when necessary

4. Recruitment and Selection of Employees and Volunteers

The Council has a duty of care to protect children, young people and vulnerable adults from harm and is legally obliged to assess the suitability of individuals to positions of trust as set out in section 11 of the Children's Act 2004 and the Care Act 2014 in respect of vulnerable adults.

The Council has a Disclosure and Barring Service Policy available from HR and on the Portal. Senior Managers are responsible for ensuring that members of staff and volunteers in relevant posts will be subject to the appropriate level of criminal record checks.

The Disclosure and Barring Service (DBS)¹ is used to check the criminal record of applicants for posts where there is frequent and/or intensive contact with children under the age of 18 and/or vulnerable adults as part of normal and routine duties. 'Frequent' means once a week or more and 'intensive' means four days a month or more or overnight. When it is uncertain whether a member of staff or volunteer fits into one of these categories, the Head of HR and a Senior Manager must discuss the issue to agree a joint decision. Where agreement cannot be reached the Head of HR will make the final decision.

¹ The DBS operates the vetting and barring scheme which aims to prevent unsuitable people from working with children, young people or vulnerable adults and conducts criminal record checks to enable an assessment to be made on the suitability of a person to care or work with children, young people or vulnerable adults.

It will be made clear to applicants for posts of this nature that the position is exempt from the provisions of the Rehabilitation of Offenders Act 1974 and they will need to obtain a satisfactory DBS certificate at the appropriate level prior to commencing employment.

Post holders requiring clearance will not be confirmed in their posts until disclosure information has been received and evaluated. All relevant posts are subject to a satisfactory disclosure being received. This will be detailed in an employee's written statement of terms and conditions of employment.

The Council's recruitment and selection procedure also ensures that staff or volunteers who will be working with children and/or vulnerable adults meet appropriate standards around experience and qualifications and that evidence is secured as part of the recruitment process.

All existing employees whose role requires a DBS certificate will be required to have a recheck every three years. They will be asked if they wish to participate in the DBS online Update Service, whereby for a small annual subscription fee (initial fee refunded if person remains in employment 12 months after joining the update service), the DBS certificate will be kept up to date and will be portable from role to role where the same type and level of check is required. If a new employee is not already subscribing to the Update Service at the time of being offered a post that requires a DBS check, they will be asked to complete a new DBS application form.

If a criminal record is disclosed the individual's employment situation will be reviewed and this may result in the termination of their employment.

The Council has a duty to refer an individual to the DBS where they consider that a person has caused or may pose a risk of harm to children or vulnerable adults. Line Managers will be made aware of the procedures to follow in such circumstances and that failure to follow them will result in a disciplinary offence.

5. Training

There are different levels of training available to staff, elected members and volunteers through the Portals, Safeguarding Children Board and Safeguarding Adults Board.

All new members of staff and elected members will be briefed on their responsibilities towards children, young people and vulnerable adults during their induction. Staff will be required to undertake the Level 2 on-line iHASCO Safeguarding training module on the Portal and elected members will be made aware of available training through their Portal.

6. Tackling Abuse²

Children and Young People

There are different types of abuse as defined in 'What to do if you're worried a child is being abused'. (MHCLG March 2015).

Physical Abuse is causing physical harm and may involve hitting, shaking, throwing, poisoning, burning or scalding, drowning or suffocating. It may also be caused when a parent or carer feigns the symptoms of, or deliberately causes ill health to a child or young person for whom they are caring.

² [What to do if you're worried a child is being abused, MHCLG March 2015 for further information](#)

Emotional Abuse is the persistent emotional maltreatment of a child or young person. It is also sometimes called psychological abuse and it can have severe and persistent adverse effects on emotional development.

Sexual Abuse is any sexual activity with a child or young person. It involves forcing or enticing a child or young person to take part in sexual activities, whether or not the child or young person is aware of what is happening.

Child Sexual Exploitation is a form of sexual abuse where children under 18 are sexually exploited for money, power or status

Neglect is the persistent failure to meet a child or young person's basic physical and/or psychological needs, likely to result in serious impairment of their health and development.

Vulnerable Adults

Defining abuse or neglect is complex and rests on many factors. The term "abuse" can be subject to wide interpretation. It may be physical, verbal or psychological, it may occur where a person is persuaded to enter into a financial or sexual transaction to which they have not consented, or cannot consent.

Abuse or neglect may be the result of deliberate intent, negligence or ignorance. Exploitation can be a common theme in the experience of abuse or neglect. Whilst it is acknowledged that abuse or neglect can take different forms, the Care Act guidance identifies the following types of abuse or neglect:

- Physical abuse;
- Domestic violence;
- Sexual abuse;
- Psychological abuse;
- Financial or material abuse;
- Modern slavery;
- Discriminatory abuse;
- Organisational abuse;
- Neglect and acts of omission;
- Self-neglect

7. Responding to Disclosure, Suspicions and Allegations of Abuse

It is not the responsibility of those working for the Council to decide if abuse is occurring but it is their responsibility to act on concerns and notify the appropriate person or organisation.

The Procedures for everyone to follow are set out under point 9 below.

8. Allegations of Previous Abuse

Symptoms can include hyper-vigilance, intrusive thoughts, and flashbacks. Flashbacks can be triggered by a variety of stimuli including current abuse by another adult, talking to someone else, an abusive experience, or learning of the abusive experiences of others.

Historical abuse refers to any allegations of child abuse, which occurred when the victim was a child, and which have been made when the victim is an adult.

Allegations of abuse may be made some time after the event (e.g. by an adult who was abused as a child or by a member of staff who is still currently working with children).

Historical abuse is not confined to abuse which occurred within institutions or at the hands of professionals; historical abuse allegations may also be made about non-professionals, i.e. family members, carers, or other young people.

Complaints should be taken seriously regardless of the amount of information available, for example, where the name of the people involved is not available or cannot be recalled.

Individuals making allegations of historical abuse may have carried their traumatic experiences with them for a significant number of years. Signposting to support services is essential.

9. Procedures – What To Do

It is not the responsibility of an employee or elected member to make the decision whether or not abuse is actually taking place. It is their responsibility to take all allegations seriously whether about a member of staff, elected member or the general public. Their role is to act on their concerns if an incident of abuse is reported.

There is a responsibility to protect children, young people and vulnerable adults in order that appropriate organisations and agencies such as Police or Social Services can investigate and take any necessary action.

It is extremely important that any allegations are not discussed (unless absolutely necessary) as any breaches could be damaging to the child, young person or vulnerable adult and to any investigation which may follow.

What to do:

- Listen carefully to what they have to say
- Don't ask direct questions
- Do not lead the conversation
- Do encourage them to talk
- Be honest with them about what you can and cannot do

- Tell them that you are not able to keep what they have told you secret and you will try to find them the help they need
- When they have finished, make a detailed note of what they have said in their own words
- If you have serious concerns about the immediate safety of the person, contact Social Services or the Police, guidance can be found below
- Complete the **Incident Record Form** which can be found on the Portal this will automatically alert the Safeguarding Team of your concerns and actions taken
- Do not contact or confront the individual who is alleged to be responsible
- Any requests for information from members of the public (including parents) or the media should be directed to the designated Safeguarding Lead.

Next Steps:

The Safeguarding Support Team and/or the Safeguarding Lead will consider the information provided and decide whether or not the concern needs reporting to the appropriate Safeguarding bodies or whether signposting to support groups or other organisations is required.

- If the case requires a formal safeguarding referral the original member of staff who completed the Incident Record Form will be requested to make the appropriate online formal referral
- In cases involving employees, elected members or volunteers in an allegation of sexual abuse, including the observing, handling or distributing of materials in any media that involves the sexual abuse of children, the matter should be immediately referred to the Police by a Senior Manager
- Where there are concerns about a member of staff's, elected members or volunteers behaviour outside the workplace towards a child, young person or vulnerable adult, this should be reported at the earliest opportunity to an appropriate Senior Manager
- The Council assures all staff, elected members and volunteers that it will fully support and protect anyone who in good faith (without malicious intent) report his or her concerns about a colleague's practice or the possibility that a person may be being abused or bullied
- The Council recognises that it has a duty to staff, elected members and volunteers against which allegations have been made
- The person who receives information concerning a suspected case of abuse by another member of staff, elected member or volunteer should make a full record of what has been said as soon as possible and pass the information onto an appropriate Senior Manager

Guidance for recording information for Social Services or the Police:

To ensure that this information is as helpful as possible, a detailed record should always be made at the time of the disclosure/concern, which should include the following:

- The name, age and date of birth of the person at risk

- Their home address and telephone number
- Whether or not the person making the report is expressing their own concerns or those of someone else
- The nature of the allegation. Include dates, times, any special factors and other relevant information
- Make a clear distinction between what is fact, opinion or hearsay
- A description of any visible bruising or other injuries. Also any indirect signs, such as behavioural changes
- Details of witnesses to the incidents
- The individual's account, if it can be given, of what has happened and how any bruising or injuries occurred
- Have the parents been contacted?
- If so, what has been said?
- Has anyone else been consulted? If so, record details
- If the child was not the person who reported the incident, has the child been spoken to? If so, what was said?
- Has anyone been alleged to be the abuser? Record details
- Where possible referral to the Social Services or Police should be confirmed in writing within 24 hours and the name of the contact who took the referral should be recorded
- Complete the **Incident Record Form** on the Portal this will automatically alert the Safeguarding Team of concerns and actions taken

10. Confidentiality, Data Protection and Sharing of Information

Information sharing is vital in identifying and tackling all forms of abuse and neglect. The Data Protection laws should not prevent, or limit, the sharing of information for the purposes of keeping children safe. Lawful and secure information sharing between Social Services and other local agencies is essential for keeping adults and children safe and ensuring they get the support they need.

The Data Protection Act 2018 introduced 'safeguarding' as a reason to be able to process sensitive, personal information, even without consent (**DPA, Part 2,18; Schedule 8, 4**).

Fears about sharing information **must not be allowed** to stand in the way of promoting the welfare and protecting the safety of adults and children. As with all data sharing, appropriate organisational and technical safeguards.

All members of staff and volunteers must comply with legislative requirements and Council guidelines with regard to Confidentiality, Data Protection and Information Sharing.

The Council recognises that all information regarding the safeguarding of children, young people and vulnerable adults should be kept confidential. However, in order that children, young people and vulnerable adults are protected from harm, in some circumstances, usual considerations of confidentiality that might apply to other situations within the Council may be overridden.

The Council will abide with the relevant Safeguarding Board Information Sharing Protocols.

The Council understands the importance of ensuring that personal data is always treated fairly, lawfully and appropriately and that the rights of individuals are upheld. The Council is fully committed to compliance with the requirements of the Data Protection Act.

The Council is required to share information for a number of reasons, including when information is requested in connection with an assessment of a child's needs under section 17 of the Children Act 1989 or an enquiry under section 47 of that Act or in connection with court proceedings.

The Council may need to share information about a child or young adult with other agencies. This information sharing is coordinated by the relevant Multi-Agency Safeguarding Hub.

The type of information that may be shared includes names, contact details, information about a person's physical or mental health or relations with others. The sharing of this information will be restricted to those who have a demonstrable need to know and robust protections, such as encryption, will be used to share this information.

All staff and volunteers must comply with the Council's internet and e-mail policy and IT Security Policy.

The Lead Safeguarding Officer(s) will act as a first point of contact for notification of any deaths of children /young people or vulnerable adults on Council premises.

Information must only be shared on a 'need-to-know' basis, but you do not need consent to share information if a child is suffering, or at risk of, serious harm.

Staff/volunteers who receive information about children and their families in the course of their work should share that information only within appropriate professional contexts

Timely information sharing is essential to effective safeguarding.