

To: City Executive Board

Date: 8th December 2010

Item No: 10

Report of: Head of Policy, Communication and Culture

Title of Report: Oxford City Council: Safeguarding Children and Young People and Vulnerable Adults Policy and Procedures

Summary and Recommendations

Purpose of report: The Board are asked to adopt the Oxford City Council, Safeguarding Children and Young People and Vulnerable Adults Policy and Procedures.

Key decision? No

Executive lead member: Councillor Antonia Bance, Cabinet Member for Regeneration and Community Development

Policy Framework: Corporate Plan and Regeneration Framework.

Recommendation(s):

1. That the Board adopt the Safeguarding Children and Young People and Vulnerable Adults Policy and Procedures at Annexe 1
2. That the Policy and Procedures be kept under review and updated as appropriate.

Appendices to report

Annexe 1: Children, Young people and Vulnerable Adults Safeguarding Policy and Procedures

Annexe 2: Report Risk Register

Annexe 3: Implementation Action Plan

Annexe 4: Equalities Impact Assessment

Background

1. The Council's current Safeguarding Children and Young People Policy and Procedures were adopted in September 2008. Since this time there have been a number of changes to legislation with regard to the protection of Vulnerable Adults, including a duty for employing organisations to report to the Independent Safeguarding Authority (Safeguarding Vulnerable Groups Act 2009).
2. Rather than establish a separate Safeguarding Policy and Procedures for Vulnerable Adults it was deemed appropriate to bring them together with the Safeguarding Children and Young People Policy and Procedures. The Executive Board is therefore asked to adopt the new policy and procedures.

Underpinning Legislation and Guidance

3. The underpinning legislation and guidance, includes:
 - **Children's Act 1998/9 and 2004** - Requires each authority to establish a Safeguarding Children Board and a duty for members of the Board to cooperate.
 - **Mental capacity Act 2005** - Provides protection from liability where a person acts or makes a decision in the reasonable belief that what they are doing is in the best interest of the person who lacks capacity.
 - **Human Rights Act 1998** – Public Authorities have an obligation to act in accordance with the European Convention of Human Rights
 - **Crime and Disorder Act 1998**- Enables any person to disclose information to a relevant authority, for the purpose of preventing or reducing crime.
 - **Data Protection 1988** – Enables information to be shared when it is necessary to do so and outlines the process by which information can be shared.
 - **Local information sharing agreements** – These are in place in Oxfordshire both for Vulnerable Adult and Children and Young People.

The Oxfordshire Children and Young People's Safeguarding Board

4. The Children's Act 2004 requires each authority to establish a Safeguarding Children Board. The Oxfordshire Safeguarding Children Board is the key statutory mechanism for agreeing how the relevant organisations in Oxfordshire will cooperate to safeguard and promote the welfare of children in the County and for ensuring the effectiveness of what they do. Oxford City Council is a member of the Board and is represented on the Board by the Partnership Development Manager.

The Oxfordshire Safeguarding Vulnerable Adults Board

5. The Oxfordshire Safeguarding Vulnerable Adults Board has been more recently established, with a similar role to the Safeguarding Children and Young People's Board, as set out above. The City Council is not represented on the Board but the Board is keen to develop closer relationships with the City and other District Council's and is currently reviewing its membership with a view to having district council representation. Members of the Oxfordshire Safeguarding Vulnerable Adults Team have helped in the development of these policies and procedures.
6. The key functions of both of these boards include:
 - Developing policies and procedures for reporting and investigating concerns and complaints in relation to safeguarding issues
 - The promotion of the welfare of children and vulnerable adults.
 - To ensure good practice in relation to the recruitment, selection and supervision of people who work with children, young people and vulnerable adults.
 - To ensure good practice in relation to the sharing of information across agencies.
 - To promote effective interagency working.
 - The cooperation with neighbouring authorities.
 - The monitoring of policies and procedures.
 - The provision of training.

The scope of the Safeguarding Children, Young People and Vulnerable Adults Policy and Procedures

7. A copy of the Policy and Procedures are attached at Annex 1. They cover:
 - The aims and objectives
 - Duties
 - Responsibilities of all staff members and councillors
 - Recruitment and criminal record checks
 - Training
 - Work experience and risk assessments
 - Transport
 - Recorded images
 - Raising concerns
 - Promoting the welfare of children and young people and vulnerable adults
8. There are close links with the Oxfordshire Children and Young People's Plan and Oxford City Council Children and Young People's Plan. The Oxford City Children and Young People's Plan sets out the services that Oxford City Council provides which contribute towards the safeguarding of children and young people, and which promotes their welfare.

9. There are also close links to the Oxfordshire Aging Successfully and Oxfordshire Carers Policies and Plans.

Future developments and the potential impact upon the Policy and Procedures

10. The Policy and Procedures were developed and written prior to the change of Government in May 2010, following which there are now some proposed changes to the regulatory framework and governance arrangements for Children's Trust Boards and the Health and Well Being Partnership. There are also a number of proposals within the NHS White Paper that relate to the safeguarding of children and young people and vulnerable adults. Further new Guidance is expected in December 2010.
11. There is a review being undertaken of social care in children's services which is likely to inform new Government Guidance on safeguarding of children and young people.
12. There is also a review being undertaken of the Independent Safeguarding Authority. (ISA). Members of staff working in a 'regulated activity' are required to register with ISA. This is currently on hold whilst the review is being undertaken.
13. As Government Guidance becomes clearer the Policy and Procedures will need to be updated accordingly.

Level of risk

14. A Risk Assessment has been carried out and this is set out in Annex 2.
15. A major risk is the Government Spending Review and the need for all public services to make significant reductions in budgets which will inevitably lead to cuts in services for children and young people and vulnerable adults. The Government have allocated additional funding for Social Care, although we are awaiting further clarification on what this funding is for and how it will be allocated.
16. To mitigate this risk the Council will need to work with partners to ensure that the best use of resources is made and to limit the impact where possible. The Council will need to ensure that it is well informed of potential service cuts and that it uses its leadership role to influence decisions of partners and other agencies.

Consultation

17. There has been consultation with all relevant officers within the City Council and they have had a substantial input in the development of the Policy and Procedures.

18. The Oxfordshire Safeguarding Children and Young People Team and the Oxfordshire Safeguarding Adults Team have been consulted upon the Policy and Procedures and their comments have been incorporated.

Managing and Monitoring of the Plan

19. A Self Assessment has been undertaken to ensure that the Policy and Procedures are compliant with the requirements of the Oxfordshire Safeguarding Boards. An Action Plan has been undertaken which is set out in Annex 3. These actions will be monitored by the Designated Officers Group who will review the Action Plan at least twice a year.

Climate Change/environmental impact

20. There are no significant climate change or environmental impact issues related to this report.

Equalities Impact Assessment

- An Equalities Impact Assessment has been carried out and it is set out in Annex 4. The evidence indicates significant problems in the City in comparison to other parts of Oxfordshire.

Financial implications

21. Oxford City Council contributes £4,000 per annum towards the costs of the Oxfordshire Children and Young People's Safeguarding Board. This enables the City Council to access the on line and specialist training provided by the Board free of charge.

22. Oxford City Council does not make a similar contribution towards the Oxfordshire Safeguarding Board for Vulnerable Adults but are still able to access their training free of charge. However this is likely to be reviewed as demand for training increases and pressure on resources increases.

23. There are currently no other financial implications arising out of this report.

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List of background papers:

Oxfordshire Children and Young People's Plan and Delivery Plan

Oxfordshire Aging Successfully Strategy

Oxfordshire Carers Strategy and Action Plan

Version number: 4