

To: Council

Date: 20 July 2015

Report of: Executive Director of Community Services

Title of Report: OXFORD CITY COUNCIL, SAFEGUARDING REPORT 2014-2015

Summary and Recommendations

Purpose of report: To note the progress made on Oxford City Council's Section 11 (Children Act 2004) Self-Assessment Action Plan 2014-15 and to note the Oxford City Council Safeguarding Action Plan for 2015-16.

Key decision: Yes

Executive lead member: Cllr Dee Sinclair, Executive Board Member, Community Safety and Licensing (Crime and Community Response)

Policy Framework: The Corporate Plan and the Oxford Strategic Partnership Plan.

Recommendations:

1. To note the progress and development of the Council's safeguarding function in 2014-15.
2. To note the 'Oxford City Council Safeguarding Action Plan 2015-16', as set out in Appendix 1.

Appendices to the report

Appendix 1: 'Oxford City Council Safeguarding Action Plan 2015-16'.

Background

1. A report setting out Oxford City Council's role in Safeguarding Children and Adults was considered by the City Executive Board at its meeting on 12 March 2014. This included a Section 11 (Children Act 2004) Self-Assessment Audit and Action Plan. It was agreed that Action Plan should be reported to and approved by the City Executive Board and Council on an annual basis.
2. The Section 11 Self-Assessment Audit is required annually by the Oxfordshire Safeguarding Children Board (OSCB) to ensure compliance with the City Council's safeguarding duties. However, the City Council has extended its Policy and Procedures to cover vulnerable adults as well. In undertaking our Self-

Assessment we have therefore also included vulnerable adults as a part of the review.

3. This report was presented to the Executive Board on May 14th 2015 and to Scrutiny Committee prior to this. The report has since been updated in the light of comments made at Scrutiny and Executive Board.
4. A full copy of Oxford City Council's Section 11 Self-Assessment for 2014-15 is available on the Oxford City Council Web site:

<http://www.oxford.gov.uk/Library/Documents/Council/Oxford%20City%20Council%20Safeguarding%20Self-assessment%202014-15.pdf>

5. The Oxford City Council Safeguarding Action Plan for 2015-16 is provided in Appendix 1. This Action Plan includes actions arising from:
 - The Section 11 Self-Assessment Audit
 - The OSCB Serious Case Review for Children A, B, C, D, E, F
 - Oxford City Council Learning and Development Action Plan following the Serious Case Review for Children A, B, C, D, E, F.
 - Recommendations from Scrutiny Committee

Safeguarding Action Plan 2014-15: Update

6. Many of the actions agreed in the Oxford City Council Safeguarding Action Plan 2014-15 have been met, while other actions are on-going. The recent launch of the Oxfordshire Multi-Agency Safeguarding Hub ('MASH') and Oxford City Council's pioneering engagement in this process will play a significant role in shaping the delivery of our safeguarding functions and meet the required actions for 2015-16.
7. All of these actions are either completed or in hand.

Changes in internal systems and organisation

8. Good progress has been made in ensuring that the Council's safeguarding function is met. There is now a single line of responsibility to a Director (Executive Director of Community Services) and a system of regular safeguarding assurance to Executive Board level has been established.
9. The terms of reference of the Named Safeguarding Officers Group have been agreed and a chair has been appointed (Head of Human Resources and Facilities). The Group continues to meet every six months to review progress and development of the City's safeguarding function. The Executive Director for Communities now also sits on the Oxfordshire Safeguarding Children Board.
10. Following an independent review of the Council's children and young people safeguarding function in November 2013, a Safeguarding Coordinator was appointed in May 2014. The Safeguarding Coordinator assists the Policy and Partnership Development Manager in implementing and monitoring the Council's Safeguarding Work Programme and Action Plan for Children and Vulnerable Adults.

Changes in HR processes

11. In relation to staff, an allegations policy has been developed, which covers how allegations against staff and volunteers will be managed. More generally, safeguarding considerations have been fully integrated into HR processes: questions on safeguarding now appear on both induction and appraisal forms and it is now possible to track staff safeguarding training on the Council's internal HR database (iTrent).

Monitoring effectiveness of training and policy

12. In the course of completing the Section 11 Self-Assessment audit for the Oxfordshire Safeguarding Children's Board, the Council distributed a questionnaire, designed by the OSCB, to assess the effectiveness of its safeguarding function. This questionnaire was completed by a sample of 29 front line staff in areas where safeguarding concerns most commonly arise (Housing, Community Safety and Leisure) and provided a snapshot of the effectiveness of training and policy. The questionnaire demonstrated that, at least among the sample:

- Council staff were either aware of safeguarding policy and procedures or knew where to find them;
- Council staff know who to contact with safeguarding concerns, both in the Council itself and at the County Council.

A further safeguarding questionnaire will be administered before the end of the year to a wider number of staff. The responses to this questionnaire will be incorporated into the Council's 2015 Section 11 Self Assessment Audit.

Actions in progress: engagement, reporting, alignment

13. Some actions from the 2014 Action Plan are still in progress while others (such as the regular review of policy and procedures) are invariably on-going.

14. Actions still in progress from 2014 include:

- Developing the engagement of councillors in the Council's safeguarding programme;
- Establishing a regular system of reviewing case files to identify outcomes for children and vulnerable adults;
- Achieving improved alignment of services within the County Council.

Engaging councillors

15. In relation to developing the engagement of councillors in the Council's safeguarding programme:
- Members have received a number of Briefings from the Police and Oxfordshire County Council on the Bullfinch Enquiry Serious Case Review.
 - Briefing sessions have been held on safeguarding and sexual exploitation.
 - Safeguarding training is now included in the mandatory training for Oxford City Councillors as from May 2015.

- There will be a presentation to Oxford City Councillors by the Chair of the Oxfordshire Safeguarding Children's Board in the summer.
- It is planned that safeguarding will be provided as a part of the mandatory training for members.

Safeguarding assurance reporting

16. The Oxfordshire Multi-Agency Safeguarding Hub ['MASH'] provides a central place for safeguarding referrals to be made. Agency partners share information relating to referrals and decisions are taken about how referrals should be progressed. The MASH model is a national model which has been adopted by a number of local authorities and involves social care, police, health, youth offending/probation, housing, early intervention, etc.
17. The City will review its own involvement in safeguarding referrals by way of monthly file audits which will be carried out by the MASH. These audits will look at how safeguarding information is collated, timescales, partnership information sharing and decision making. Any learning from these reviews will be discussed by the City's Named Safeguarding Officers Group and will be raised with particular service areas, where relevant.

Safeguarding Action Plan 2015-2016

18. The Action Plan for 2015 was initially developed by the Designated Officers and Named Safeguarding Officers Group. It reflects the changing safeguarding environment with the implementation of the MASH and the emerging learning from Serious Case Reviews.

Information sharing

19. Information sharing is central to the operation of the MASH. The Council has signed up to the MASH information sharing/data protection protocol and is sharing information from its databases with the MASH in line with this protocol.
20. A pilot project for information sharing was held from 10 February to 6 March 2015. It involved Customer Services Managers, Housing and Anti-Social Behaviour staff, the Designated Safeguarding Officers, and the Information Compliance Specialist Officer who monitored data protection requirements.
21. The number of Enquiries has ranged from 1 to 8 per day. We understand that Oxford City Council is one of the first second tier councils to participate in a MASH in the country and therefore is in a position to develop a model of best practice for other second tier councils.
22. A workshop on MASH and information sharing was held in March 2015 for District Council Officers, Registered Social Landlords and other Housing Providers. The seminar reviewed the operation of the pilot project and considered ways in which this can inform District Council and housing provider involvement in the MASH. A steering group consisting of representatives from District Councils and housing associations has been set up to move this work forward.

Data collection

23. In addition to being a central point for shared information, the MASH will also be collecting data on the number, type and source of all referrals across the County. Bi-monthly MASH reports are analysed at the MASH Operational Steering Group, on which the City Council is represented. The data in these reports will allow Oxford City Council to measure the impact of training, policy and protocols in practice and measure the real outcomes for children and vulnerable adults.

Section 11 Self-Assessment Audit

24. The Council submitted its Section 11 Self- Assessment for 2014-15 to the OSCB in December 2014. At this time we assessed ourselves with a 'Green' rating: all points met and most points evidenced (75% met). During a peer review exercise conducted in April 2015, the Council was assessed as having met all 12 standards and that there are 5 areas where the City demonstrates best practice.

Oxfordshire Safeguarding Children Board Serious Case Review: Children A, B, C, D, E and F: Recommendations and Planned Actions to Continue Improvement.

25. There are a number of actions for Oxford City Council arising from the recently published Oxfordshire Safeguarding Children Board Serious Case Review: Children A, B, C, D, E and F: Recommendations and Planned Actions to Continue Improvement.

26. Implementation of the Action Plan will be tracked by the OSCB and progress will be reported to Oxford City Council members as a part of the Oxford City Council Annual Safeguarding Report.

27. Oxford City Council has also identified a number of learning points and actions relating to this Serious Case Review and actions relating to this are included within the Oxford City Council Safeguarding Action Plan set out in Appendix 1 of this report.

28. The delivery of the Oxford City Council Safeguarding Action Plan 2015 -16 will be overseen by the Executive Director, Community Services and managed by the Designated Officers with input from the Named Safeguarding Officers Group (which has representation from across all Oxford City Council Services). Progress will be reported to members as a part of the Annual Safeguarding Report to CEB and Council.

29. In light of the recent Serious Case Review, the Oxfordshire Safeguarding Children Board is undertaking a 'stocktake' to assess the progress that has been made by all agencies in relation to safeguarding children in Oxfordshire. The stocktake is being reviewed by a central government adviser to test the impact of actions taken so far. The City is actively engaged in the stocktake exercise and awaits its recommendations later this summer.

Financial Implications

30. There are no immediate financial implications related to the Safeguarding Action Plan 2015-16.
31. The additional part time appointment of a Safeguarding Coordinator to support the Council's work around safeguarding children and vulnerable adults has supported the review of the Section 11 Self -Assessment and Action Plan. The Safeguarding Coordinator has also undertaken an in depth review of our Policy and Procedures to include a greater emphasis on vulnerable adults as well as children. This post has been budgeted for two years and will come to an end in May 2016. Future needs and funding will be considered as part of the 2016/17 budget process.
32. There may be financial implications arising from the operation of the MASH; however these will not be known until vulnerable adults are also included in the MASH (September 2015). The inclusion of vulnerable adults in the MASH is expected to result in increased information sharing demands. This increased demand for information may have resource implications.

Legal implications

Children

33. Section 11 of the Children Act 2004 places duties on a range of organisations and individuals to ensure their functions, and any services that they contract out to others, are discharged having regard to the need to safeguard and promote the welfare of children. Oxford City Council is one of the organisations to which the requirements in Section 11 apply.
34. Working Together 2013 (the statutory guidance) elaborates further:
- 'Organisations should have in place arrangements that reflect the importance of safeguarding and promoting the welfare of children, including
- A clear line of accountability for the commissioning and/or provision of services
 - Senior board level lead to take leadership responsibility for the organisation's safeguarding arrangements
 - A culture of listening to children and taking account of their wishes and feelings, both in individual decisions and the development of services
 - Arrangements which set out clearly the processes for sharing information, with other professionals and with the Local Safeguarding Children Board (LSCB)
 - A designated professional lead for safeguarding
 - Safe recruitment practices for individuals whom the organisation will permit to work regularly with children
 - Policies on when to obtain a criminal record check
 - Appropriate supervision and support for staff, including undertaking safeguarding training'

35. The OSCB is the relevant LSCB for the City Council and is responsible for evaluating the degree to which each partner organisation fulfils its responsibilities under Section 11.

Vulnerable adults

36. With regard to vulnerable adults, the Care Act 2014, which comes into force in April 2015, imposes duties on local authorities, including district councils. The over-arching duty in the 2014 Act is to promote an individual's well-being. As a 'relevant partner' of the County, the City Council is under a duty to co-operate and share information when required.

37. The City Council is required (under section 7) to share information when the County suspects that an adult in its area:

- Has needs for care and support;
- Is experiencing, or at risk of, abuse or neglect and
- As a result of those needs is unable to protect himself/herself against the abuse or neglect or the risk of it. (section 42).

38. The City Council is also required (under section 45) to share information with the Oxfordshire Safeguarding Adults Board (OSAB) to enable or assist OSAB to exercise its safeguarding function in relation to vulnerable adults.

39. The duty to share information is not an unqualified one. The City Council must cooperate with any enquiries relating to adult safeguarding except when it considers that doing so:

- would be incompatible with its own duties, or
- would otherwise have an adverse effect on the exercise of its function.

40. Oxford City Council has its own duties under the Data Protection Act 1998, which includes the principles that :

- Personal data shall be obtained only for one or more specified and lawful purposes and shall not be further processed in any manner incompatible with that purpose or those purposes;
- Personal data shall be adequate, relevant and not excessive in relation to the purpose or purposes for which they are processed. (Schedule 1).

41. The Oxfordshire Safeguarding Adults Board has in the past has been primarily concerned with monitoring the quality of provision in care homes and hospitals. The introduction of the Care Act 2014 has broadened out the duties with regards to vulnerable adults and the Board is currently reviewing its priorities, the way that it is governed and how it operates. This includes bringing together the management arrangements of the Oxfordshire Safeguarding Adults Board together with the Oxfordshire Safeguarding Children's Board.

Climate change/environmental impact

42. There is no climate change or environmental impact issues related to this report.

Risks

43. Oxford City Council will have to decide which of the information we hold is likely to be relevant to safeguarding and be careful not to provide anything more than what is required. This means that requests for such information should be considered carefully, balancing information sharing and data protection duties.

44. A risk assessment is contained within the Children and Young People's Plan 2014-2017. There are risks if the Council does not comply with the Section 11 guidance to:

- The safety and wellbeing of children and young people;
- The safety and wellbeing of vulnerable adults;
- The reputation and financial position to the Council.

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Background Papers:

Oxford City Council Section 11 Self- Assessment Audit

<http://www.oxford.gov.uk/Library/Documents/Council/Oxford%20City%20Council%20Safeguarding%20Self-assessment%202014-15.pdf>