

# Basingstoke and Deane Borough Council

## Policy and Procedure for the Safeguarding of Children and Vulnerable Adults

**Owner: Policy Officer**

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March 2016	Prevent Duty included
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November 2018	5 year review – administrative updates / New Designated Safeguarding Officer contact included
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## **1 Policy Statement**

Basingstoke and Deane Borough Council is committed to safeguarding the welfare of children and vulnerable adults. Safeguarding is about protecting vulnerable people from harm, regardless of their age, gender, disability, race or any other protected characteristic (Equality Act 2010), and promoting the prevention of impairment.

The council undertakes a wide range of services through which council employees, councillors and volunteers may encounter vulnerable people during the course of their work. Although the extent and frequency of this contact may be varied<sup>1</sup>, everyone has a responsibility to recognise and respond to safeguarding issues and must be aware of this policy and procedure.

The senior responsible officer for safeguarding is the Executive Director of Borough Services. On a day-to-day basis, the main point of contact for raising safeguarding issues are the Designated Safeguarding Officers.

This policy is written in accordance with the Children Act 2004, the Care Act 2014 and associated guidance, council policies and procedures (see Appendix 2). The council works in partnership with a range of agencies to safeguard children and vulnerable adults in the borough, including the Hampshire Children and Adults Safeguarding Boards and this policy aligns to the Hampshire County Council's Multi-agency Agreement.

The Counter Terrorism and Security Act 2015 places a duty on specified authorities in the exercise of their functions to have due regard to the need to prevent people from being drawn into extremism and terrorism. Prevent is included as part of our safeguarding responsibilities in accordance with guidance.

This policy will be made available to all employees, councillors and volunteers and training will be provided commensurate with roles and is mandatory for all staff and councillors on induction. Hard copies of the policy are available in councillors' group rooms and on request.

## **2 Aims and Review**

The main aim of this policy is to put the council's legal and moral commitment to safeguarding into practice, and to act as a guide for employees, councillors, volunteers and third party agencies on how to deal with safeguarding concerns. It outlines the council's approach to safeguarding vulnerable people, roles and responsibilities and the procedure for raising concerns. It also includes guidance on best practice when working with vulnerable people to ensure that, where it is practicably possible, no one is placed in situations where abuse by them might be alleged.

This policy will be reviewed every three years or when there is a significant change in relevant legislation/to council procedures. The council's approach to safeguarding is subject to annual audit by the local safeguarding Boards.

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<sup>1</sup> Service areas include: housing and homelessness prevention, delivery of benefits, home visits, licensing premises and taxis, supporting local voluntary and community groups, building control, health and safety, environmental health e.g. noise complaint inspections, street care operatives that work in local parks, shopping areas etc.

### **3 Scope**

The scope of this policy is in respect of this council's responsibility towards:

- Children and young people legally defined as any person under the age of 18.
- vulnerable adults – The Care act refers to an 'adult at risk of abuse or neglect with care and support needs'
- council employees who will come into contact with children or vulnerable adults during the course of their work
- councillors when on council business
- volunteers who are performing a task or duty at the request of , or on behalf of the borough council
- contractors when carrying out work on the council's behalf.

The policy covers all functions and services of the council.

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

- protecting children from maltreatment
- preventing impairment of children's' health or development
- ensuring that children are growing up and living in circumstances consistent with the provision of safe and effective care
- undertaking that role so as to enable children to have optimum life chances

Adult safeguarding is defined as

- safeguarding is aimed at adults with care and support needs who may be in vulnerable circumstances and at risk of abuse or neglect
- protecting an adults right to live safely, free from abuse and neglect

### **4 Responsibilities**

Responsibility for the implementation of this policy lies at all levels of the council:

Strategic Leadership Team, Cabinet, councillors, heads of service, managers, all employees, contractors and volunteers. Main responsibilities include:

- providing clear procedures to staff, councillors and vulnerable groups relating to voicing concerns about issues they may feel unhappy or unsure about
- sharing information with the appropriate agencies
- ensuring that all staff and councillors are appropriately trained
- raising awareness of how staff and councillors can avoid putting themselves in vulnerable positions during the course of their daily duties, including the risks associated with lone working (covered in council business units' lone working policies).
- looking after the welfare of staff who may be affected by any safeguarding issues
- ensuring all staff are recruited following recommended procedures
- ensuring that all staff coming into regular contact with vulnerable individuals are Disclosure and Barring Service (DBS) checked
- flag up potential risks to staff arising from a safeguarding concern that other relevant colleagues should be aware of through the council's Violent or Abusive Incidents Log
- promoting protection issues to grant recipients, partners and service providers.

The Designated Safeguarding Officers have the responsibility to:

- provide advice and information relating to safeguarding concerns
- receive and record information from employees, councillors, volunteers, children, vulnerable adults or parents and carers who have safeguarding concerns

- assess the information promptly and carefully, clarifying or obtaining more information about the matter as appropriate
- ensure a formal referral to a statutory agency or the police has been made without delay and ensure the proper transfer of information relating to dealings with children and vulnerable adults, where necessary
- ensure appropriate training is available for employees, councillors, and volunteers.
- be aware of the local child and vulnerable adult protection networks, the role of the Hampshire Safeguarding Children Board and The Hampshire Safeguarding Adult Board and the existence of local safeguarding procedures.

**Remember it is not up to you to decide if abuse has taken place, that is the role of Hampshire County Council's Children and Adult Services, but it is your responsibility to report any concerns you may have. The council has a duty of care to respond to any concerns to ensure the appropriate action can be taken.**

**When raising a concern, a sense of proportion should be maintained and common sense applied to situations. The main priority must be to safeguard the welfare of the vulnerable person involved.**

## 5 Types and indicators of abuse

### Who might abuse and where might abuse occur?

Abuse may be carried out by a wide range of people, including relatives, family members, professional staff, paid care workers, volunteers, other service users, neighbours, friends and associates, people who deliberately exploit vulnerable people, strangers and organised or linked networks of abusers. It can occur anywhere, such as, an individual's home, via the internet, public places, residential home, educational or day care settings.

### Types of abuse

Abuse is a form of maltreatment. Somebody may abuse or neglect a child or vulnerable person by inflicting harm or failing to act to prevent harm. The following definitions are taken from a range of safeguarding guidance and legislation including Working Together to Safeguard Children 2015 and No Secrets 2015 for working with vulnerable adults:

#### *Physical Abuse*

May involve causing pain, injury or impairment, including: hitting, slapping, pushing, kicking, misuse of medication, restraint, or inappropriate sanctions, shaking, throwing, poisoning, burning or scalding, malnutrition, dehydration, or any other action causing physical harm or illness.

#### *Emotional Abuse*

The persistent emotional maltreatment of a person, such as to cause severe and persistent adverse effects on the person's emotional development. It may involve threats of harm, controlling, intimidation, coercion, harassment, verbal abuse, isolation from supportive networks.

#### *Sexual Abuse*

Involves forcing / enticing a child or vulnerable adult to take part in sexual activities, including prostitution, rape, sexual harassment, inappropriate looking or touching, sexual teasing or innuendo, sexual photography, subjection to pornography or witnessing sexual acts, indecent exposure and sexual assault or sexual acts to which the adult has not consented or was

pressured into consenting. This includes children who are victims of Child Sexual Exploitation (CSE) or are missing or trafficked.

#### *Neglect*

Persistent failure to meet a child's or vulnerable adult's basic and/or psychological/ emotional needs. Such as, ignoring medical or physical care needs, failing to provide access to appropriate health/social care, welfare benefits or educational services, withholding the necessities of life such as medication, adequate nutrition and heating. Neglect to a baby may occur during pregnancy as a result of maternal substance abuse.

#### *Financial or material abuse*

Includes theft, fraud exploitation, pressure in connection with wills, property of inheritance or financial transactions, or misuses/r misappropriation of property, possessions/benefits.

#### *Discriminatory abuse*

Including racist, sexist, homophobic acts based on a person's race, gender, sexual orientation or any other protected characteristic. Includes other forms of harassment, slurs or similar treatment, such as disability hate crime.

#### *Abuse of disabled children / adults*

Disabled children / adults are at increased risk of abuse and individuals with multiple disabilities are at even more significant risk both of abuse and neglect as they may: having fewer social contacts, receiving intimate personal care from a larger number of carers and /or have an impaired capacity to challenge abuse or communicate issues.

#### *Domestic abuse*

Psychological, physical, sexual, financial, emotional abuse and so called 'honour' based violence (a collection of practices used to control behaviour within families or other social groups to protect perceived cultural and religious beliefs and/or honour).

#### *Forced marriage*

Forced marriage is a marriage conducted without the valid consent of one or both parties and where duress is a factor.

#### *Financial or material*

Theft, fraud, exploitation, pressure with wills, property, inheritance or financial transactions, or the misuse or misappropriation of property, possessions or benefits.

#### *Self- neglect, self-harm or attempted suicide*

Self-neglect includes neglecting to care for one's personal hygiene, health or surroundings and behaviour such as hoarding. Deliberate self-harm is self-harm without suicidal intent, resulting in non-fatal injury (it is, however, a common precursor to suicide). Attempted suicide is self-harm with intent to take life, resulting in non-fatal injury.

#### *Institutional / Organisational abuse*

Can take the form of any of the other types of abuse in the form of isolated incidents of poor practice at one end of the spectrum, through to gross misconduct at the other as a result of the structure, policies, processes and practices.

#### *Modern slavery*

Encompassing slavery, human trafficking, forced labour and domestic servitude. Traffickers and slave masters use whatever means they have at their disposal to coerce, deceive and force individuals into a life of abuse, servitude and inhumane treatment.

### *Female Genital Mutilation (FGM)*

FGM is a criminal offence in the UK. It is an illegal, extremely harmful practice and a form of child abuse and violence against women and girls.

#### Indicators of abuse

Indications that a person may be experiencing abuse could include the following:

- unexplained or suspicious injuries such as bruising, cuts or burns, particularly if situated in a part of the body not normally prone to such injuries
- someone else expresses concern about the welfare of another person.
- unexplained changes in behaviour e.g. withdrawn, increased sexual awareness/behaviour
- fear of going home or distrust of adults, particularly those with whom they have a close relationship
- has difficulty making friends or is prevented from socialising with other people
- displays variations in eating patterns including overeating and loss of appetite
- loses weight for no apparent reason or becomes increasingly dirty and unkempt

This list is not exhaustive and the presence of one or more of the indicators is not proof that abuse is actually taking place or has taken place. Multiple forms of abuse may occur in an abusive service setting to one person or to more than one person at a time, making it important to look beyond single incidents, to underlying dynamics and patterns of harm

#### Injuries in non-mobile children

Bruising is the commonest presenting feature of physical abuse in children, however, this is sometimes not recognised as a highly predictive value for child abuse in children who are not independently mobile (those not yet crawling, cruising or walking independently). NICE guidelines state that bruising in any child not independently mobile should prompt suspicion of maltreatment.

## **6. Prevent Duty**

The Prevent duty includes the following main responsibilities:

- providing Prevent training for appropriate frontline staff
- require relevant contractors to have a good understanding of Prevent and that their staff are trained to recognise vulnerability
- making appropriate safeguarding referrals to the Hampshire Children or Adult Safeguarding Boards where there is a concern that an individual is at risk of being drawn into terrorism (a subsequent referral may be made by the Board to the Channel Panel, which is a programme which provides support such individuals)
- ensuring that organisations who work with the council on Prevent are not engaged in any extremist activity or espouse extremist views
- taking the opportunity when new contracts for the delivery of services are being made to ensure that the principles of the duty are covered in those contracts in a suitable form.

The council's training includes what signs to look out for that may indicate that an individual is at risk of being drawn into terrorism.

**If someone tells you that they or someone else is being abused, or if you suspect that someone has been/is being abused, this needs to be reported as a matter of urgency.**

## 7. Referral and reporting of a safeguarding concern

### Safeguarding referral process

BDBC staff member or Councillor has a concern about the welfare of a child/vulnerable adult **OR** full/partial disclosure of abuse is made by a child/vulnerable adult to staff member or Councillor.

Complete the internal safeguarding referral form (refer to Corporate Forms page on Sinbad) within 24hrs and send it to [safeguarding@basingstoke.gov.uk](mailto:safeguarding@basingstoke.gov.uk)  
If you are unsure whether your concern is a safeguarding issue, speak to a Designated Safeguarding Officer (contacts below).  
If you are distressed by the situation in any way, speak to a Designated Safeguarding Officer or your line manager.

Designated Safeguarding Officer identifies appropriate action and either refers to Adult/Children's Services and/or Police if necessary. They may also request further information from the person reporting the concern.

Designated Safeguarding Officer records referral on safeguarding spread sheet and files copy of email securely

#### **Additional Notes**

1. For a copy of the Safeguarding Report Form go to Corporate Forms on Sinbad.
2. If your concern is outside of office hours, please send your report form or an email detailing your concerns to either:
  - Children's Services [csprofessional@hants.gov.uk](mailto:csprofessional@hants.gov.uk) or
  - Adult Services [adult.services@hants.gov.uk](mailto:adult.services@hants.gov.uk)

**Please ensure you copy [safeguarding@basingstoke.gov.uk](mailto:safeguarding@basingstoke.gov.uk) into the email.**
3. If you believe there may be a serious or immediate risk of harm, call 999.
4. If your concerns relate to information provided by a third party, please tell them to report their concerns direct to Adult/Children's Services or the Police. Speak to one of the Designated Safeguarding Officers about what you have been told.
5. If your concerns relate to a member of staff, please speak to the Head of HR.
6. If your concerns relate to a councillor, please speak to the Monitoring Officer.

#### **Contact details**

- **Designated Safeguarding Officers:**
  - [safeguarding@basingstoke.gov.uk](mailto:safeguarding@basingstoke.gov.uk)
  - Ed Ives-Wara, Children, Young People & Families Team Leader – 01256 845338 (int. 2338)
  - Rachel Fletcher, Social Inclusion Manager – 01256 845373 (int. 2373)
  - Sophy Brough, Licensing Team Leader - 01256 845669 (int. 2669)
- **Children's Services:** 0300 555 1384 (evenings / weekends: 0300 555 1373) [csprofessional@hants.gov.uk](mailto:csprofessional@hants.gov.uk)
- **Adult Services:** 0300 555 1386 (evenings / weekends: 0300 555 1373) [adult.services@hants.gov.uk](mailto:adult.services@hants.gov.uk)
- **Police:** 101 or 999 (in an emergency)
- **Disclosure and Barring Service:** 0870 909 081



## 7.1 Suspicion of abuse

Suspicions of any form of abuse, or concerns about a child or vulnerable adult should be discussed with one of the Designated Safeguarding Officers and recorded on the Child/Vulnerable Adult Safeguarding Report Form (refer to Corporate Forms on Sinbad). If it is considered that the individual affected is in need or at risk, the Designated Safeguarding Officer will refer the matter to Children/Adult Services. An allegation of abuse or neglect may lead to a criminal investigation; therefore, an employee should not do anything that may jeopardise a police investigation such as asking the individual leading questions or attempting to investigate the allegations of abuse. If the circumstances present a risk to other council staff during the course of their duties this should be registered on the [Violent or Abusive Incidents Log](#) on Sinbad.

## 7.2 Disclosure

This is when a child or vulnerable adult (or someone associated with them), tells you something that raises a concern that they/someone else may have been abused. The different types of abuse are outlined in Section 5. Disclosure can be defined as either:

- Full disclosure: where an individual gives you the whole story of what is happening to them including the name of the abuser/s.
- Partial disclosure: where an individual tells you only that “something” is happening to them. They may not say who or what, and may not say any more.

A disclosure can be made consciously or as part of a normal conversation. Either way it must be reported to one of the Designated Safeguarding Officers.

During a disclosure by a victim of abuse **you should:**

- stay calm and listen patiently
- reassure the person they are doing the right thing by telling you
- make the individual affected aware of the need to pass on any information they tell you, and that ‘secrets’ cannot be kept
- explain what you are going to do with the information, and who it will be shared with
- try to ensure the disclosure area is kept confidential and that it is not possible for anyone else to hear
- attempt to make a written note of what is being said as soon as possible (this note should be kept for use as potential evidence in subsequent legal proceedings).

**You should not:**

- ask leading questions, appear shocked, horrified, disgusted or angry.
- press the individual for details (it is not your duty to undertake the investigation).
- make comments or judgements other than to show concern.
- promise to keep secrets or confront the abuser.
- risk contaminating evidence.

## 7.3 Reporting a safeguarding concern

Advise one of the Designated Safeguarding Officers immediately after the issue is identified:

- record the full conversation about the disclosure or suspicion of abuse on the Child/Vulnerable Adult Safeguarding Report Form (refer to Corporate Forms on Sinbad), detailing as much as possible of what the person said, and their behaviour at the time.

- only language used by the individual should be used, and assumptions in your own words should not be made.
- ensure that the form is completed fully and sent electronically to one of the Designated Safeguarding Officers at [safeguarding@basingstoke.gov.uk](mailto:safeguarding@basingstoke.gov.uk) as soon as possible (preferably within 24 hours). It will then be passed to Children/Adult Services within 48 hours. If you are unable to send this electronically, the referral form can be printed and passed on to a Safeguarding Officer in a sealed envelope marked 'Confidential'.

This record, and any other with confidential information, must be stored securely and only shared with those who need to know; this is to protect all involved. Once the concern has been reported, a record will be made by the Designated Safeguarding Officer concerning any subsequent action, such as any further investigation or action or, where relevant, the reasons why no referral was made.

In the instance that the Designated Safeguarding Officers are unavailable and the matter is an emergency, you should call the Police on 999 or contact Children/Adult Services directly (out of office contact details are on p8). This must be followed up in writing to the Designated Safeguarding Officers using the Child/Vulnerable Adult Safeguarding Report Form (refer to Corporate forms on Sinbad) within 48 hours.

Once you know that the safeguarding referral form has been received by a Designated Safeguarding Officer, you must delete any record of this from your own computer or systems.

A social worker from Children/Adult Services will assess the information to determine whether a formal investigation should commence, and may contact you directly for further information. You may also be contacted by the Police.

If the member of staff has been affected by the circumstances they have encountered they may seek emotional support from their manager, a trusted colleague or a member of HR. If the Designated Safeguarding Officer has concerns for staff welfare, they will provide appropriate advice for the member of staff, which may include contacting their manager for welfare support. However, the details of the specific case should only be shared in confidence, if necessary to support the member of staff.

#### 7.4 Procedure in the event of an allegation made against a staff member

Anyone who suspects that a member of the council's staff may be abusing a child or vulnerable adult must act on their suspicions immediately. Action must also be taken if it is felt that the staff member is not following the Good Practice Guide (Appendix 4). This will not only protect vulnerable individuals but also colleagues from false accusations. Everyone must understand that allegations made against a member of staff will be dealt with seriously and may have far reaching consequences.

If you are a member of staff and have concerns about the behaviour or conduct of a member of staff or other adult working on behalf of the council:

- it must be treated in the strictest confidence.
- details must be recorded immediately and information discussed with the Head of HR.
- if necessary, appropriate action will be taken to remove the child or vulnerable adult from immediate danger. This could mean, in serious cases, the head of service responsible for the individual (in consultation with the Head of HR) asking the employee to go home whilst an investigation is conducted.

- the Head of HR must telephone the Local Authority Designated Officer (LADO) without delay to notify them of the concern which has been raised and to seek advice on the way forward. The LADO can be contacted on 01962 876364 or by email at [child.protection@hants.gcsx.gov.uk](mailto:child.protection@hants.gcsx.gov.uk). If required, the LADO will send the Head of HR a LADO Notification Form to complete and return without delay.
- the Head of HR will investigate whether the allegation is due to poor practice in delivery of the service (i.e. the principles of this policy have not been applied in the planning and delivery of services) or whether there is deliberate non-compliance by the employee with regard to the approved policies and procedures. If poor practice is highlighted, the service manager will be responsible for improving procedures.
- if the matter relates to deliberate non-compliance, the Head of HR will decide the next course of action or refer it to one of the Designated Safeguarding Officers.
- if it is deemed necessary to suspend an employee it is essential to follow the guidance given under the Disciplinary and Dismissal Guidance Notes on suspension (available in the Staff Handbook on Sinbad).
- if you do not work for the council and have concerns about the behaviour or conduct of a member of council staff contact the council's Head of HR on 01256 845549.

The council's Whistleblowing Policy also allows staff to raise serious concerns in strict Confidence (refer to the Staff Handbook). This policy is intended to encourage staff to raise serious concerns within the council rather than ignoring a problem

#### 7.5 Procedure in the event of an allegation made against a councillor

Anyone who suspects that a councillor may be abusing a child or vulnerable adult should immediately notify the Monitoring Officer (Head of Law and Governance).

## 8. **Confidentiality, record keeping and complaints**

### 8.1 Confidentiality

The rights of a child or vulnerable adult to be protected from harm is paramount. While the council has a clear policy on confidentiality, if the needs of the individual affected outweigh the need for confidentiality, then the need of the vulnerable person takes precedence. However, where an allegation is made, and whilst it is being investigated, every effort should be made to ensure confidentiality is maintained for all concerned. If enquiries arise from the public (including parents) or any branch of the media, it is essential that all employees, councillors and volunteers are briefed so that they do not make any comments regarding the situation, unless authorised to do so.

### 8.2 Record keeping

Records should be stored securely and shared only with those who **need** to know. These procedures not only serve to protect children/ adults but also protect employees, Members, volunteers and the Council itself. All written/electronic communications should be marked CONFIDENTIAL and sent only to the named person/s dealing with the case. The importance of good record keeping in this area cannot be over stressed.

### 8.3 Complaints regarding the council's approach/response to safeguarding issues

When dealing with complaints, it is important to maintain an open culture. Staff, councillors, volunteers and others must feel able to express concerns about safeguarding issues and issues of poor practice when dealing with vulnerable people. An easy to follow complaints procedure for members of the public regarding staff is available from

the council offices entitled 'We would like to hear your comments'. Guidelines for staff are also available with reference to face-to-face, telephone and written complaints. There is also a complaints form, regarding councillors, that is available from the monitoring officer. Alternatively it can be found on the web and on Sinbad.

## **9 Recruitment and training**

### **9.1 Recruitment**

Through the council's recruitment procedures anyone who works directly with children or vulnerable adults, or may come into regular contact with vulnerable individuals during the course of their work, must have:

- a Disclosure and Barring Service (DBS) check (formerly known as a Criminal Records Bureau (CRB) check). The council's DBS policy is available in the staff handbook
- their experience of working or contact with children or vulnerable adults fully explored, prior to appointment
- two references obtained from people who have had experience of the applicant's work with children or vulnerable adults (paid or voluntary)
- training in recognising the signs of abuse, in reporting procedures, and in good working practice.

If you are unsure whether a role requires a DBS, please contact your HR Business Partner, who will advise. Pre-recruitment checks will always be carried out. This includes conducting a risk assessment for all posts to determine whether or not the post has access to children or vulnerable adults (this will apply regardless of the employment status of the post i.e. permanent, temporary or casual). Job descriptions of staff that are subject to a DBS check will include reference to specific safeguarding responsibilities and where relevant, reference to the 'early help' agenda.

### **9.2 Managing Work Experience**

All young people undertaking work experience with the council and council trainees are to be regarded as employees for the purposes of health and safety and they should receive all of the same protection we afford to our own employees. Specific guidance on work placements, work shadowing and individual meetings with young people can be found in Appendix 6.

### **9.3 Training**

The council recognises that it has a commitment to ensure that all staff and councillors have a clear understanding of their roles and responsibilities when working with children or vulnerable adults. The training process will help staff and councillors to:

- be able to recognise the different signs of abuse, and what appropriate course of action should be taken in these circumstances.
- have an understanding of the potential risks to themselves, and ensure good practice is adhered to at all times.
- recognise signs of improper behaviour from other staff, and take appropriate action.

All staff and councillors will receive children and vulnerable adult safeguarding awareness training by completion of a compulsory e-learning module at induction and periodically thereafter. Managers and supervisors of staff must also have training, even if they themselves do not come into contact with vulnerable groups. Staff working directly with vulnerable individuals or recruitment will be required to attend interactive training.

Training will be supplemented with relevant safeguarding information being published on Sinbad. It is the responsibility of staff and managers to ensure that work involving contact with vulnerable groups is planned and managed in accordance with the Good Practice Guidelines (Appendix 4).

## **10. Funding and grants**

- 10.1 Where organisations and groups that work with children or vulnerable adults apply to the council for grants, the granting of funds will be subject to a safeguarding policy being in place by the recipient organisation. Guidance to organisations or groups can be provided on adopting a safeguarding policy if needed.

## **11. Hiring facilities to others**

- 11.1 Any hirer who provides activities for children or vulnerable adults is required to adhere to current safeguarding legislation and guidance, in accordance with the council's Hiring Terms and Conditions.

## **12. Third Party Obligations**

- 12.1 Contractors, sub-contractors and organisations that are commissioned, funded by or working on behalf of the council, which are involved in areas where workers come into regular contact with children or vulnerable adults, must have safeguarding children and vulnerable adult policies in place that comply with the scope and terms of this policy. These organisations must ensure that the correct DBS checks have been carried out for all relevant workers and provide staff with appropriate safeguarding training. All new contracts let by the council, which involve providing services for vulnerable individuals, will include appropriate provisions for complying with the principles of this policy.

## **13. Photography and use of photographic equipment**

- 13.1 If you are organising an event or meeting and would like to take photos or record a video of activities, please contact the Communications Team at the council to obtain further advice and a Photographic Consent form.

# Appendices

## 1 Legislation and guidance

This policy has been based on current safeguarding legislation and guidance for children and vulnerable adults, including:

- CONTEST Strategy, counter-terrorism 2018
- Working together to safeguard children, – A guide to interagency working HM Gov., 2015 and 2018 update
- Care Act 2014
- Information Sharing Advice for practitioners, 2015
- The Role of District Councils in Safeguarding Children and Young People, 2010
- National Framework of Standards – adult safeguarding, 2005
- The Children Act 2004 (including provisions and guidance in 2005).
- Every Child Matters Green Paper, 2003
- 'No Secrets' guidance, 2000 (including the revision of this guidance in 2010)
- The Protection of Children Act, 1999

Other related legislation includes: the Data Protection Act 1998, the Equality Act 2010 and the Freedom of Information Act 2000. Further detail on safeguarding legislation can be found by accessing the relevant links on this website: <http://www.isa.homeoffice.gov.uk/>.

The policy also accords with a range of council policies and strategies on equality and diversity, housing and homelessness, disclosure and barring, social media, unreasonable and violent customer behaviour etc.

## 2 Monitoring of the council's safeguarding responsibilities

Basingstoke and Deane Borough Council is regularly audited by Hampshire Safeguarding Children and Adults Boards to assess how council performs its safeguarding duties. This includes reporting back on areas such as:

- having an internal safeguarding policy and take appropriate action wherever abuse is suspected
- providing opportunities for training on safeguarding children and vulnerable adults for staff and councillors
- supporting staff who report safeguarding concerns
- keeping secure records of any incidents/concerns
- ensuring commissioned or contracted services meet the council's safeguarding requirements and that effective monitoring is carried out

With regards to partner working with the local safeguarding boards, this policy links to the:

- [Hampshire, IOW, Portsmouth and Southampton 4LSAB Multi-Agency Safeguarding Adults Policy and Guidance](#)
- [Hampshire Safeguarding Adults Board Strategic Plan](#)
- [Hampshire Safeguarding Children Board Manual](#)
- [4LSAB multi-agency Risk Management Framework](#)
- [4LSAB Allegations Management Framework](#)

### 3 Good practice guidelines – ‘Dos and Don’ts’

The following ‘Do’s and Don’ts’ are designed to safeguard children and vulnerable adults and protect staff etc. from situations where false allegations can be made. The lists on the following page are not exhaustive. Some specific posts and activities may need more detailed guidance. If you have any concerns about the appropriateness of any practice or action, contact one of the Designated Safeguarding Officers.

<b>In the course of their day to day work on behalf of the council, Basingstoke and Deane Borough Council councillors, staff, managers, volunteers and anyone who is acting on behalf of the council will ...</b>	
1.	be professional, use common sense, and maintain the highest standards of personal behaviour at all times
2.	ensure all activities undertaken involving any risk to children or vulnerable adults are properly risk assessed and appropriate control measures recorded and implemented
3.	avoid being the only adult in an enclosed room with a young person
4.	treat all children and vulnerable adults with equal dignity and respect
5.	where appropriate, be identifiable – wear a form of identification
6.	respect the child/vulnerable adult’s right to privacy
7.	maintain an appropriate distance and consider placing a physical barrier (e.g.) coat/handbag, between themselves and the child/vulnerable adult
8.	keep the child’s needs first and the outcomes second
9.	obtain written consent for the taking of photos for publicity purposes and when children are to participate in supervised activities and events without the presence of the parents or guardian
10.	if physical contact is necessary for demonstrating skills etc., explain and discuss these actions with the person first

<b>In the course of their day to day work on behalf of the council, Basingstoke and Deane Borough Council councillors, staff, managers, volunteers and anyone who is acting on behalf of the council will NOT...</b>	
1.	have inappropriate physical / verbal contact with children and vulnerable adults
2.	discriminate against a child or vulnerable adult on the grounds of their age, gender, disability, race, religious belief, sexual orientation, transgender status or any other protected characteristic
3.	transport or offer to transport a child unless written consent has been given by their parent and or guardian
4.	engage in physical intervention unless in emergency situations, where, if personnel did not intervene there would be a real or actual risk to others
5.	be under the influence of drink, drugs or any illegal substance
6.	allow bullying or the use of inappropriate language unchallenged
7.	let allegations a child or vulnerable adults makes be ignored or go unrecorded
8.	do things of a personal nature for a child or vulnerable adult that they can do themselves
9.	enter a house when a child is alone or arrange to meet with a child outside of council work, unless you have full consent of the child’s parent/ guardian and your line manager
10.	administer medication unless specifically trained and approved

## 4 Specific guidance for councillors

### When should a councillor comply with the council's safeguarding policy?

When acting as, or perceived to be acting as, a councillor.

### When is a councillor acting as, or perceived to be acting as, a councillor?

It can be unclear as to when a councillor's duties end and when their private life takes over. With regard to safeguarding children there would appear to be three possible situations:

- A councillor clearly acting in an official capacity, for example where a planned visit to a school or care home has been organised by officers and the councillor is attending in their official capacity. In this situation, councillors would be expected to follow the same policy and procedures as officers.
- A situation where the councillor could be perceived to be acting in an official capacity – this could be a situation where councillors are fact finding on their own without officers in attendance (for example where complaints of anti-social behaviour in a children's play area have been made and a ward councillor goes out to see how bad the situation is). In this situation, the councillor may come into contact with children. Again, councillors would be expected to follow the same policy and procedures.
- Purely social contact with children (for example giving a lift to the children of a family friend) or vulnerable adults (for example visiting an older person who is a friend at a care home). There is no need to follow the council's child protection policy and procedures.

It is noted that councillors often get involved with, or take on, other roles in the community, for example school governor, helping at youth clubs, care homes etc. In these circumstances the councillor will have to comply with the policy of the relevant organisation (i.e. the school etc.).

### What does a councillor have to do to comply with the policy?

While acting as, or perceived to be acting as, a councillor:

- all councillors must report any concerns or disclosures made to them relating to child or vulnerable adult safeguarding issues by completing a safeguarding form (available here and sending it to one of the council's Designated Safeguarding Officers: Email: [safeguarding@basingstoke.gov.uk](mailto:safeguarding@basingstoke.gov.uk). Samantha Charlton 01256 845447, Ed Ives-Wara 01256 845338 or Rachel Fletcher 01256 845373.
- all councillors must comply with the Good Practice Guidelines in Appendix 3.
- In the unlikely event that a councillor needs to work frequently with children or vulnerable adults on behalf of the council then they would be required to have a DBS check and meet with one of the Designated Safeguarding Officers, to ensure that they are familiar with the council's safeguarding policy and procedure. Councillors will receive additional guidance on their safeguarding responsibilities as part of the councillor induction process.



## 5 Additional children/young people safeguarding guidelines

These guidelines relate to working with one or two young people and should be followed for work placements, work shadowing days and individual meetings with young people. Where a member of staff intends to work with a group of three or more young people the supervision and gender ratio is a matter of judgement for the officer concerned who must conduct a specific risk assessment in the context of the activity to be undertaken.

### On Campus

The council is generally open plan; therefore risk to the individual/council is minimal, however:

- No child/young person should be left alone in an enclosed room/office or be alone in an enclosed room with only one adult; two members of staff should be present.
- 1:1 meetings/discussions in an open plan office environment is acceptable.
- When Business Units agree to take on a work placement and have concerns in relation to the putting either the young person/person or the organisation at risk then they should contact HR for advice. Advice will be given on a case by case basis.

### Meetings/visits away from the office

- When leaving the campus for meetings or visits young people will be accompanied by two adults at all times. Where possible one of these individuals must be the same gender as the young person (i.e. with a female student there must either be 2 female adults, or 1 female, 1 male adult but not two males; with a male student there must either be 2 male adults, or 1 female, 1 male adult but not two females).
- One of the adults may be someone other than a member of staff; this person should be a 'responsible' adult known in their professional capacity to the member of staff, e.g. councillor, member of community organisation, teacher, etc. (this will generally be a matter of judgement for the officer concerned; line manager approval should be sought if 'validation' of the individual as a 'responsible' adult is needed).
- Approval must be obtained from the school/placement body for the young person to be taken off site during their placement. For placements arranged through HR, consent will have been obtained in advance as part of a Risk Assessment (providing that the business unit had informed HR of the intention to take the young person off site). If the placement has been organised by the business unit directly with a school, the business unit will be responsible for seeking/evidencing consent from the school. If a placement is agreed directly between a business unit and young person, the business unit is responsible for seeking and evidencing consent from the young person's legal guardian.
- If going off site involves travelling in a car belonging to a member of staff, the car must be insured for the purpose of carrying passengers for business use.

### Risk assessments

- HR will undertake a risk assessment for corporate work placement arrangements.
- Business Units should include safeguarding within their risk assessments for any activity with or for young people outside the scope of the corporate work placement arrangements.