

Name of meeting: Standards Committee

Date: 12 February 2015

Title of report: Safeguarding Protocol

Is it likely to result in spending or saving £250k or more, or to have a significant effect on two or more electoral wards?	Not applicable
Is it in the Council's Forward Plan ?	Not applicable
Is it eligible for "call in" by Scrutiny ?	Not applicable
Date signed off by <u>Director</u> & name	David Smith 2.02.15
Is it signed off by the Director of Resources?	Yes
Is it signed off by the Assistant Director – Legal, Governance and Monitoring ?	Yes
Cabinet member portfolio	Resources

Electoral [wards](#) affected: All

Ward councillors consulted: Not applicable

Public report:

1. Purpose of report

1.1 To consider the inclusion of a Safeguarding Protocol as a new Code in Part 5 of the Council's Constitution.

2. Key points

2.1 Early in 2014 Group Leaders considered a report which highlighted the role of councillors in safeguarding. Leaders agreed a way forward in how best to equip councillors to understand the duties and risks and enable them to respond appropriately to safeguarding issues.

2.2 At that time a range of activities was identified, many of which were already happening.

- A safeguarding induction module for new councillors
- Development for the Cabinet Lead Member
- An annual refresher for Councillors to update on new guidance and any changes in duties / responsibilities.
- Basic awareness briefings for all existing councillors which would include updates on current high profile areas.
- Ongoing briefings for councillors on committees with specific remit for safeguarding.

Members felt the range of activities was appropriate and agreed that a formal protocol should be developed, which would set out the requirement for all councillors to undertake annual refresher training on safeguarding issues.

2.3 The draft protocol was supported by group leaders at a meeting in January 2015, and is appended to this report for consideration. It incorporates the requirement for all councillors to undertake an annual refresher on safeguarding issues, every autumn.

Group leaders asked if a contact for West Yorkshire Police should be included in the protocol. This has been considered further but it was concluded that the contact numbers included in the Protocol should enable councillors to report an issue to an experienced officer who will then make a decision about which other officers and/ or agencies, depending on the issue raised, should be brought in (as appropriate) to assist/ advise. This may include a police officer experienced in safeguarding issues of course, but it keeps the onus with an experienced officer to decide rather than members.

2.4 The role of the Standards Committee as set out in Article 9.3 of the Constitution includes:

- (a) To promote and maintain high standards of conduct by Councillors (and Co-opted Members)
- (b)
- (c)
- (d) To provide advice and guidance to Members and Co-opted Members on issues relating to the Members' Code of Conduct and ethical issues and to arrange the provision of training on such matters
- (e)
- (f) To recommend to the Council, if appropriate, the adoption of protocols relating to Member conduct supplementary to the Member Code of Conduct and to determine procedures for dealing with allegations of breaches of such protocols.
- (g)
- (h)

3. Implications for the Council

The protocol is an important step in summarising safeguarding responsibilities and the commitment of the Council in ensuring that all councillors are informed on their duties and role in respect of safeguarding. It formalises the arrangements for annual refresher training for all councillors.

4. Consultees and their opinions

The protocol was considered at a meeting of group leaders who supported its inclusion in the Council's Constitution

5. Next Steps

As it is an amendment to the Constitution then after consideration at Standards Committee, it will be considered by Corporate Governance and Audit Committee before going to Council

6. Officer recommendations and reasons

The Committee is asked to approve the attached draft protocol for formal adoption into the Council's Constitution

7. Cabinet portfolio holder recommendation

Not applicable.

8. Contact officer and relevant papers

Penny Bunker: Governance and Democratic Engagement Manager

Tel: 01484 221000

8. Assistant director responsible

Julie Muscroft Assistant Director Legal, Governance and Monitoring

Protocol for Elected Members Re: Safeguarding Children & Adults

Introduction

The Council has statutory responsibilities to safeguard children (Children Act 1989) and vulnerable adults (Care Act 2014).

Safeguarding is about keeping people safe and protecting them from harm, neglect, abuse and injury. It is about creating safe places, being vigilant and doing something about any concerns you might have.

Safeguarding is everyone's responsibility, and it is essential that all elected Members understand their role in this.

Corporate Parent

For children in care, the Council has a statutory responsibility as corporate parent. Members have an important role in making sure that the Council acts as a good corporate parent for all children in its care, to seek the outcomes that any good parent would want for their own children, to enable each child to reach its full potential.

This includes education, health and welfare and cultural needs.

As corporate parent, the Council needs to ensure that there are appropriate steps in place to ensure it listen to the voice of looked after children, prioritise their needs and have high aspirations for them.

Relationship to the Member Code of Conduct

This protocol is additional to the Members' Code of Conduct, and you should always apply that code to any issue arising.

You should also comply with any other relevant protocols.

Processes

Families may be involved in processes, meetings or court proceedings relating to:

- Child in Need
- Common Assessment Framework for children
- Child protection
- Care Assessments for adults and carers
- Safeguarding adults

Your constituents may ask for your help with these issues, or ask you to accompany them to, or represent them in meetings, or even to intervene on their behalf in the context of court proceedings.

In these circumstances, you should explain that you cannot help, and suggest that your constituents seek their own legal advice. It is not appropriate for you to become involved because it would give rise to a conflict of interest with the Council's statutory responsibilities, particularly its duties to safeguard children and adults, and to investigate and take action in respect of allegations of abuse and neglect.

Also, as a ward member you are not entitled to take part in confidential meetings or to receive confidential information about third parties.

Duty to Report Safeguarding Concerns

If you become aware of any individual case of safeguarding concerns, relating either to children or vulnerable adults, arising through your work with constituents, you must report this to the relevant services. Contact details are:

For Adults:

To report abuse:

- Gateway to Care: **01484 414933** (24 hours)
- Emergency Duty Team (Out of Hours) **01484 414933**
- Emergency Duty Team: gatewaytocare@kirklees.gov.uk

For advice:

- Safeguarding Adults Partnership Team: **01484 221717**,
Fax number: 01484 226949.
- E-mail: protection@kirklees.gov.uk

For Children:

- Kirklees Duty and Assessment Service
01924 326097 | 01924 326076 | 01924 431429
- Kirklees Emergency Duty Service
01484 414933 (outside office hours)
- Child In Need [On-line Referral Form](#)
- NSPCC Helpline: 0808 800 5000
- NSPCC email: help@nspcc.org.uk
- NSPCC text: 88858 (free service)
- NSPCC [ONLINE FORM](#)

Leading Member Roles

The Lead Member for Children Services sits as a participating observer on the Kirklees Safeguarding Children Board.

The Safeguarding and Child Sexual Exploitation Member Panel which will oversee local developments in the monitoring of, and response to, the risks associated with Child Sexual Exploitation.

Training

Because of the importance of safeguarding for all Members, it is essential that members fully understand the duties and issues involved.

Safeguarding training will be provided to all new councillors as part of the induction process.

It is also a requirement that all councillors undertake annual refresher training that will take place in the autumn of each year. This will enable councillors to refresh and update their knowledge and understanding of safeguarding issues. The annual training will enable councillors to be able to respond appropriately when they become aware of potential safeguarding issues.