

Public Document Pack



**Service Director – Legal, Governance and
Commissioning**

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Wednesday 26 January 2022

Notice of Meeting

Dear Member

Overview and Scrutiny Management Committee

The **Overview and Scrutiny Management Committee** will meet in a **Virtual Meeting - online** at **2.00 pm** on **Thursday 3 February 2022**.

This meeting will be live webcast. To access the webcast please go to the Council's website at the time of the meeting and follow the instructions on the page.

The items which will be discussed are described in the agenda and there are reports attached which give more details.

A handwritten signature in black ink, appearing to read 'Julie Muscroft', on a light-colored background.

Julie Muscroft

Service Director – Legal, Governance and Commissioning

Kirklees Council advocates openness and transparency as part of its democratic processes. Anyone wishing to record (film or audio) the public parts of the meeting should inform the Chair/Clerk of their intentions prior to the meeting.

The Overview and Scrutiny Management Committee members are:-

Member

Councillor Elizabeth Smaje (Chair)

Councillor Andrew Cooper

Councillor Andrew Marchington

Councillor Harpreet Uppal

Councillor Habiban Zaman

Agenda

Reports or Explanatory Notes Attached

Pages

1: Membership of Committee

To receive apologies for absence of Members who are unable to attend the meeting.

2: Minutes of Previous Meeting

1 - 6

To approve the Minutes of the meeting of the Committee held on 21st December 2021.

3: Interests

7 - 8

Councillors will be asked to say if there are any items on the Agenda in which they have disclosable pecuniary interests, which would prevent them from participating in any discussion of the items or participating in any vote upon the items, or any other interests.

4: Admission of the Public

Most debates take place in public. This only changes when there is a need to consider certain issues, for instance, commercially sensitive information or details concerning an individual. You will be told at this point whether there are any items on the Agenda which are to be discussed in private.

5: Deputations/Petitions

The Committee will receive any petitions and hear any deputations from members of the public.

A deputation is where up to five people can attend the meeting and make a presentation on some particular issue of concern. In accordance with Council Procedure Rule 10 (2), Members of the Public should provide at least 24 hours' notice of presenting a deputation.

A member of the public can also hand in a petition at the meeting but that petition should relate to something on which the body has powers and responsibilities.

6: Public Question Time

The meeting will hear any questions from the public in accordance with Council Procedure Rule 11.

Questions should be emailed to executive.governance@kirklees.gov.uk by no later than 10.00 a.m. on 2nd February 2022.

7: Leaders' Priorities Update

Councillor Shabir Pandor, the Leader of the Council, will attend to discuss his portfolio priorities for 2021/22.

8: Corporate Safeguarding Policy

9 - 38

The Committee will consider a report in respect of the refreshed Cross Council Corporate Safeguarding Policy.

Contact:

Alexia Gray – Head of Quality, Standards and Safeguarding Partnerships – Adults and Health

9: Work Programme 2021-22

39 - 46

To give consideration to the Committee's Work Programme for 2021-22.

Date of next meeting: 15th March 2022.

Contact:

Sheila Dykes – Principal Governance and Democratic Engagement Officer

Contact Officer: Sheila Dykes

KIRKLEES COUNCIL

OVERVIEW AND SCRUTINY MANAGEMENT COMMITTEE

Tuesday 21st December 2021

Present: Councillor Elizabeth Smaje (Chair)
Councillor Andrew Cooper
Councillor Andrew Marchington
Councillor Harpreet Uppal
Councillor Habiban Zaman

In attendance: Councillor Masood Ahmed
Councillor Naheed Mather

41 Membership of Committee

All Members of the Committee were in attendance.

42 Minutes of Previous Meeting

The Minutes of the meeting of the Committee held on 9th November 2021 were agreed as a correct record.

43 Interests

No interests were declared.

44 Admission of the Public

All items were considered in public.

45 Deputations/Petitions

No deputations or petitions were received.

46 Public Question Time

No public questions were received.

47 Kirklees Armed Forces Covenant Progress Report and the Armed Forces Bill 2021/22

Vina Randhawa, Democracy Manager presented a report which provided an update on the work of the Kirklees Armed Forces Covenant Board, and an overview of the Armed Forces Bill 2021 and the associated preparatory work being undertaken in conjunction with partners.

Councillor Masood Ahmed, the Council's Armed Forces Champion and Councillor Naheed Mather, the Cabinet Member for Environment and the relevant Portfolio Holder were in attendance.

The Committee also welcomed Jim Dodds and Colin Cranswick, members of the Kirklees Armed Forces Covenant Board.

Overview and Scrutiny Management Committee - 21 December 2021

Vina explained that the figures set out in the report for Kirklees were based on the 2011 Census and that updated data would be available from Spring 2022.

Councillor Ahmed said that significant work had been undertaken to further develop the work of the partnership, with limited resources, and he thanked Vina and the members of the Board for their work. He highlighted the following positive initiatives; Kirklees was now working towards achieving the Defence Employer Recognition Scheme Gold Award; the Board's engagement with the West Yorkshire Good Practice Forum; and promotion of the masterclasses run by the Ministry of Defence in respect of Defence Transition Services and the Veteran's Welfare Service. He said that the partnership was strong and productive, with around forty representatives of different services attending meetings, and the Action Plan was nearing completion. Work was ongoing to update the website and there was a wish to develop e-learning packages and perhaps a community directory for Kirklees. The Board would work with partners to try and address recognised gaps in terms of NHS representation.

Jim Dodds and Colin Cranswick echoed Councillor Ahmed's comments and thanked both him and Vina for their contributions. They commented that:

- The Covenant was moving forward but progress was slow, in the main, due to a lack of resources. A Life Forces Guide had been produced in 2014 and distributed to all doctors' surgeries. This needed to be updated but this could not be undertaken without funding. An excellent app had been developed with Huddersfield University, which could act as a gateway to accessing help for veterans, but again resources were needed to progress to production.
- The Chair of the Board needed to have the capacity to engage with partners and promote the Covenant within Kirklees.
- The meetings of the Board were very productive.
- A number of other authorities had appointed a dedicated officer to advise on the implications of the Covenant and associated responsibilities.
- It was considered that the position in Kirklees was excellent overall, but a single point of entry would be beneficial to avoid people being passed around the organisation and having to repeat information.

Questions and comments were invited from Committee Members, with the following issues being covered:

- The Committee expressed support for the principles of the Covenant and confirmed that the need to understand the particular issues affecting members and former members of the armed forces, and to support them, was recognised. Members thanked all those who had contributed to the work of the Board and acknowledged the positive actions and results achieved to date.
- It was considered that the response was affected by the national position in terms of healthcare, education and housing provision.
- Any individual experiencing being passed around the organisation was not acceptable and this should be addressed.
- An important role of the local authority was advocating with other agencies on behalf of residents.

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- The co-production of the Action Plan, alongside serving and former soldiers, and the learning being taken from their lived experience to allow them to influence the development of services was welcomed.
- Councillors Smaje and Zaman undertook to assist in respect of the issue of health representatives on the Board.
- In response to questions about champions within services and connections with Children's Services, it was explained that a representative of Pupil Admissions attended the Board. There was an expectation that attendees from different services would disseminate information and learning from the Board back to their service but perhaps the champion role could be progressed to try and ensure this happened effectively.
- A number of ex-services personnel regularly attended the Board; they had contributed to the detail of the action plan on the basis of their lived experience and their input was very valuable.
- Access to services had been considered at the Corporate Scrutiny Panel, and consideration should be given to how service and ex-service personnel are able to access services in the delivery of the Council's Access Strategy.
- It was noted that the return in respect of the numbers of Council staff who had been part of the armed forces, or had some connection to them, had been quite poor. It was suggested that such people would make ideal champions within services. These points were taken on board and it was suggested that efforts could be made to identify and engage with members of staff with relevant experience and to actively involve them in this work.
- It was noted that resourcing also covered things such as identifying like-minded people who were willing and able to engage, as well as finances.

Resolved –

- 1) That the Armed Forces Board and the officers supporting it be thanked for their work.
- 2) That further information be provided for the Committee in respect of the development of the concept of Armed Forces Champions within services.
- 3) That the Cabinet Member be requested to consider resourcing, particularly in light of the upcoming changes to legislation, to support and build on the work already undertaken in respect of the Armed Forces Covenant.

48 Local Government Association Corporate Peer Challenge - Progress Report

The Committee gave consideration to a report in relation to Council activity relating to the key recommendations outlined in the 2019 Local Government Association (LGA) Corporate Peer Challenge Report.

Andy Simcox, Service Director for Strategy and Innovation and Michelle Hope, Programme Manager, Policy, Partnerships and Corporate Planning introduced the report which set out the progress in respect of each of the recommendations and, where appropriate, the adjustment of actions in the context of the pandemic and recovery.

Questions and comments were invited from Committee Members, with the following issues being covered:

- Recommendation 6 had referred to a sharper delineation of the roles of Cabinet Members and senior officers; whilst the report addressed officers' actions it did

Overview and Scrutiny Management Committee - 21 December 2021

not give a Cabinet response. It was suggested that this could be discussed with the Leader of Council when he next attended the Committee.

- In response to a comment in respect of appetite for risk and taking opportunities being considered on a systemic basis; this was acknowledged and it was suggested that opportunities should be catalogued and consideration given to how this informed the Council's ambition and decision-making. This was an issue that could be appropriate for consideration by the Corporate Governance and Audit Committee, and this would be discussed with the Service Directors for Legal, Commissioning and Governance, and Finance.
- Comments in the report in respect of the appetite for a review of the electoral cycle were queried, as a number of Members had supported this, and this was taken on board.
- In relation to Recommendation 1, the improvements achieved in terms of communications were recognised and welcomed. The development of a long-term sustainable relationships with residents was very important, both on the ground as well as through digital communications. There was a need to improve in terms of the promotion of good stories.
- In respect of the proposals for flexibility of staff roles, it was important that front-line staff were also included. This had been acknowledged as an important issue (that had arisen from the 'listening circles') and work was to be undertaken to understand the different types of frontline staff and what flexibility would mean to them, and to consider improvement of their working conditions.
- The Place Standard engagement work was good but it was considered that there was still some confusion for residents and Councillors about place-based working and how all the different elements fitted together.
- There was a need to engage with Councillors more effectively, it was important that, as place-based working progressed, corporate communications should work with Ward Councillors in respect of the activity going on in their areas.
- The Communications Strategy was being refreshed and input from scrutiny at an early stage would be welcomed, alongside engagement with other stakeholders, partners and communities with the aim of establishing how to achieve further reach within communities. The comments about place-based working and working with Ward Councillors would also be considered within this work.
- More councillor involvement was needed in the setting up of hubs and setting priorities for local areas.
- It was considered that the recommendation in respect of strengthening the corporate centre linked in with place-based working; an example was given of a ward meeting held in respect of highways issues which had been very productive; this kind of initiative required support from the corporate centre.
- The IT systems in respect of missed bins were now fully aligned and this indicated a good direction of travel.
- The Corporate Parenting Board was considered to be a good example of improved decision-making and the extension of this approach would be welcomed.
- It would be interesting to see if the decision to bring the management and maintenance of the Council's housing back in-house was working effectively in the long-term and if the opportunities around place-based working were being maximised to deliver the expected outcomes. It was suggested that the Economy and Neighbourhoods Scrutiny Panel could pick up this issue.

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- In respect of strengthening the corporate centre it was explained that resources had been put into a number of services, and this would also be considered within the current budget process, in order to develop capacity to deliver the ambitions of the Council Plan.
- It was suggested that a report should be brought to scrutiny in respect of progress on the Technology Strategy.
- There was a need to promote achievements and fully engage all Councillors.
- In terms of the Place Standard engagement it was important that this included wider communities and minority communities and did not focus on 'the usual suspects'.
- To strengthen capacity consideration should be given to using peer support from Councillors and communities, particularly in terms of health and wellbeing and being an inclusive employer.
- The benefits of working with the community alongside community leaders had been demonstrated during the response to the pandemic and there was significant learning to be taken from this process
- It was important that the reasoning behind Recommendation 8, in respect of the establishment of a single Clinical Commissioning Group, did not get lost in the discussions about the future of health and social care.

Resolved -

- 1) That it be agreed that future reporting against the 2019 Peer Challenge will be incorporated within the reporting against the 2021/23 Council Plan, with an annual progress report being brought to this Committee for information and that different elements will be taken forward, as appropriate, by relevant Panels with the Chair of Scrutiny maintaining an overview.
- 2) That officers take account of the comments made by the Committee in moving forward with the work to respond to the key recommendations raised by 2019 Peer Challenge.

49 Work Programme 2021-22

Consideration was given to the Committee's Work Programme for 2021-22.

It was noted that the next meeting would take place on 3rd February 2022 and the following items were scheduled for consideration:

- (i) Leader's Priorities Update.
- (ii) Corporate Safeguarding Policy Refresh.

50 Any Other Business

The Chair reported that she had been consulted in respect of an urgent decision, made by Cabinet on 14th December 2021, in respect of supporting the recruitment, retention and valuing the contribution of social care staff in Kirklees this winter. She had agreed to the decision being exempt from call-in as the implementation of the funding was urgent but had requested that a report be presented to the Health and Social Care Scrutiny Panel in respect of the design of an appropriate approach to utilising short-term funding to support the adult social care sector over the winter.

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KIRKLEES COUNCIL			
COUNCIL/CABINET/COMMITTEE MEETINGS ETC			
DECLARATION OF INTERESTS			
Overview & Scrutiny Management Committee			
Name of Councillor			
Item in which you have an interest	Type of interest (eg a disclosable pecuniary interest or an "Other Interest")	Does the nature of the interest require you to withdraw from the meeting while the item in which you have an interest is under consideration? [Y/N]	Brief description of your interest

Signed: Dated:

NOTES

Disclosable Pecuniary Interests

If you have any of the following pecuniary interests, they are your disclosable pecuniary interests under the new national rules. Any reference to spouse or civil partner includes any person with whom you are living as husband or wife, or as if they were your civil partner.

Any employment, office, trade, profession or vocation carried on for profit or gain, which you, or your spouse or civil partner, undertakes.

Any payment or provision of any other financial benefit (other than from your council or authority) made or provided within the relevant period in respect of any expenses incurred by you in carrying out duties as a member, or towards your election expenses.

Any contract which is made between you, or your spouse or your civil partner (or a body in which you, or your spouse or your civil partner, has a beneficial interest) and your council or authority -

- under which goods or services are to be provided or works are to be executed; and
- which has not been fully discharged.

Any beneficial interest in land which you, or your spouse or your civil partner, have and which is within the area of your council or authority.

Any licence (alone or jointly with others) which you, or your spouse or your civil partner, holds to occupy land in the area of your council or authority for a month or longer.

Any tenancy where (to your knowledge) - the landlord is your council or authority; and the tenant is a body in which you, or your spouse or your civil partner, has a beneficial interest.

Any beneficial interest which you, or your spouse or your civil partner has in securities of a body where -

- (a) that body (to your knowledge) has a place of business or land in the area of your council or authority; and
- (b) either -

the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or

if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which you, or your spouse or your civil partner, has a beneficial interest exceeds one hundredth of the total issued share capital of that class.



Name of meeting: Overview and Scrutiny Management Committee

Date: 3rd February 2022

Title of report: **Cross Council Corporate Safeguarding Policy**

Purpose of report: To present the refreshed version of the Cross Council Corporate Safeguarding Policy and to invite the Overview and Scrutiny Management Committee for any comments or feedback.

Key Decision - Is it likely to result in spending or saving £250k or more, or to have a significant effect on two or more electoral wards?	No financial implications but all wards could be positively affected by staff, elected members and volunteers increasing their understanding of roles, responsibilities and referral mechanisms to safeguard children and adults at risk of abuse and neglect across the district
Key Decision - Is it in the <u>Council's Forward Plan (key decisions and private reports)?</u>	Yes – key decision notice due to be submitted 3 rd Feb 2022
The Decision - Is it eligible for call in by Scrutiny?	3 rd February 2022
Date signed off by <u>Strategic Director</u> & name Is it also signed off by the Service Director for Finance? Is it also signed off by the Service Director for Legal Governance and Commissioning?	David Shepherd – Strategic Director of Growth and Regeneration and Executive Team Sponsor of the Corporate Safeguarding Oversight Group – 20/01/2022 Yes - 24/01/2022
Cabinet member portfolio	Cllr Pattison (Lead) – 21/01/2022

Electoral wards affected: N/A

Ward councillors consulted: N/A

Public or private: Public

Has GDPR been considered? This report contains no information that falls within the scope of the General Data Protection Regulation

1. Summary

The responsibility for undertaking an overview of safeguarding arrangements across the Council was delegated to the Corporate Safeguarding Oversight Group by the Council's Executive Team.

The main responsibilities of the Corporate Safeguarding Oversight Group are to:

- ensure that robust arrangements for safeguarding children and adults are in place within and across the Council
- ensure there is effective corporate oversight of safeguarding across the range of services which the Council provides and commissions
- ensure that robust multi-agency arrangements are in place to safeguard children and vulnerable adults, and that key partners have appropriate safeguarding systems in place

The existing Cross Council Corporate Safeguarding Policy was signed off at Cabinet in 2019, however, due to the pandemic, the full roll out stalled somewhat so it was agreed at the Corporate Safeguarding Oversight Group that a Task and Finish Group would be established in order to review the policy. This was to ensure that it could be updated where needed and take into account any further additions that may be needed due to service changes and progression of other parallel work streams, such as the Safer Recruitment work and revised Local Authority Designated Officer (LADO) guidance and referral routes.

2. Information required to take a decision

The Policy is underpinned by the Council's commitment in the Council Plan to make it clear that safeguarding is everyone's responsibility, by joining up with partners, ensuring children and adults have good access to well informed advice, support and decision making, and there are effective, timely and proportionate responses when abuse or neglect occur. The Policy will act to enable all Council employees including those who are not directly involved in safeguarding, to understand their role and responsibilities when they have a safeguarding concern, how to report it and where to find additional information. There is also an expectation that all of the workforce, Councillors and volunteers share an objective to help keep children, young people and adults at risk safe by contributing to:

- Identifying where there are concerns and taking action to address them in partnership with other agencies
- Preventing unsuitable people from working with children, young people and adults at risk
- Ensuring the whole workforce understands safeguarding and their accountabilities and responsibilities
- Promoting safe practice and challenge poor and unsafe practice

The Policy sets out a preventive approach that ensures safeguards are proactively put in place to prevent abuse and neglect occurring

The Council requires a competent workforce of individuals who are able to identify instances in which there are grounds for concern about the welfare of a child or adult and initiate or take appropriate action to keep them safe.

The information contained within the Policy will need to be communicated to all affected stakeholders and staff. All employees will need to be made aware of their duties to safeguard as per the principles outlined in the Policy.

3. Implications for the Council

• Working with People

Kirklees Council believes that every child, young person and adult, has the right to live safe from harm, abuse and neglect and the key message of the Corporate Safeguarding Policy is that **'Safeguarding is Everybody's Business'** and that all employees, (paid or unpaid) have a duty

of care to safeguard, prevent, and report any concerns (regardless of whether or not there is direct contact with children, young people and/or adults as defined by job roles).

The Policy will enable all Council employees, elected members, commissioners, and volunteers to understand their role and responsibilities when they have a safeguarding concern, how to report it and where to find additional information.

There are clear anticipated benefits attached to the refresh and roll out of the policy, not just for people working within the organisation, but also for the public because, as the understanding of safeguarding increases, it will encourage more staff, elected members and volunteers to know how to confidently refer children, young people and adults at risk of abuse and neglect at an early stage so that steps can be put in place to help keep the most vulnerable people in Kirklees safe. This also includes opportunities for staff and services to continue to empower people to make better choices and signpost effectively where people have mental capacity but choose to make risky decisions, as well as increase understanding of how people who lack capacity can be supported by working with the person, their advocate, family and friends in the ethos of making safeguarding personal.

- **Working with Partners**

Social Services are the lead services for dealing with enquiries regarding allegations / concerns that children and adults may be suffering significant harm, but everyone working or contracted within the Council has a responsibility to safeguard the welfare of children, young people and adults, whatever the role of the individual. This will require better and more transparent working relationships between every team in the Council to ensure clear and accessible lines of communication and governance. Whilst the Cross Council Corporate Safeguarding Policy is a Council Policy, joint working with partners such as the Police, CCGs and the voluntary sector are critical to ensuring people are kept safe from harm so there are mechanisms in place to ensure our partners can provide assurances that they have similar policies in place, mainly through the work of the Safeguarding Adults Board and Safeguarding Children's Partnership. However, once the Kirklees Policy is signed off, it will be shared again with partners, should they want to adopt anything in it for their own. As part of the flightpath to Cabinet, the Cross Council Corporate Safeguarding Policy has been shared at various multi-agency partnership groups so partners are aware of this work and have had chance to comment on the revised version.

- **Place Based Working**

This whole system, whole family approach focuses on community, developing place-based safeguarding practices based on local knowledge, networks and need. The Policy will seek to enable and support staff to be innovative and creative in their roles, particularly those who work on the front-line, but who may not be directly involved in safeguarding. By encouraging staff to be thoughtful about the communities they work in, to understand issues related to safeguarding and how to escalate, the council can foster a working environment which is responsive and tuned into the needs of Kirklees diverse communities.

- **Climate Change and Air Quality**

No impact on climate change and air quality.

- **Improving outcomes for children**

At the heart of the Cross Council Safeguarding Policy is a desire and commitment to keeping children safe. The Policy sets out the legal requirements for doing this and what needs to be done if anyone suspects a child is at risk of harm, abuse and/or neglect. As the Policy encourages everyone to report a concern, it is hoped more children will be protected, therefore improving their whole life outcomes. It should be noted that this ethos extends to adults who are at risk as well.

- **Other (eg Legal/Financial or Human Resources)**

Legal - possible impacts include:

- if referrals to children's and adults services increase, it is likely there will be a greater demand on Legal Officers for advice and representation that could lead to Court applications
- There could also be an increase in demand on data security and GDPR advice

HR – possible impacts include:

- ongoing work with regards to Safer Recruitment (including DBS checks) and possible more involvement should LADO/Person in Position of Trust referrals increase
- implications for HR and OD for ongoing training and awareness raising (and particularly in the induction of staff processes)
- the general support of promoting the culture of transparency and enabling employees to be aware of/have a good understanding of the policy; how this underpins their role; how they carry out their duties and contribute to the Council as an organisation

Do you need an Integrated Impact Assessment (IIA)?

This has been completed as part of the refreshed policy.

4. Consultees and their opinions

As part of the engagement process, the Cross Council Corporate Safeguarding Policy has been to the following forums:

- Chair of the Overview and Scrutiny Management Committee
- Executive Team
- Portfolio Briefings (Children's and Adults)
- Kirklees Safeguarding Adults Board
- Children's Safeguarding Partnership
- Communities Board
- Health & Wellbeing Board
- Adult's and Children's SLTs
- People Service SLT
- Trade Unions
- Employee Networks

The Policy is due at Leader's Management Group on 31st January 2022.

The Policy has been well received and the following feedback has been noted and will be acted on:

- The need for the final version to be available in fully accessible formats in the interests of inclusivity
- The need to ensure that when the training plan is developed to run alongside the roll out of the Policy, that it includes specific training for elected members so that they know as community leaders who they can speak to, and also to consider roles, responsibilities and where restrictions may lie (such as those associated with information sharing and GDPR)
- It is recognised that the Policy has needed to be fairly lengthy so that the required information could be captured. However, as this is rolled out, the Task and Finish Group will consider a range of options as to how best to reach the various services, including the dispersed workforce in a variety of ways and in a way that is appropriate for the audience (such as providing factsheets, credit card style cards with information on, potentially create some simple e-learning packages that can be accessed from personal mobile phones).

5. Next steps and timelines

Following feedback from Overview and Scrutiny Management Committee and sign off at Cabinet, the Corporate Safeguarding Oversight Group will establish the Communication Plan for the wider roll out of the Policy. There will also be a Training workstream established (bringing in subject matter experts in areas such as domestic abuse, modern day slavery etc) to undertake a training needs analysis and agree on what training is required; where and at what level. This will also consider training across other sectors where the Council, as regulators have a role to promote safeguarding. These areas of work will be discussed at the next Corporate Safeguarding Oversight Group in April 2022 and it is expected that this work will be continual to factor in refresher training and opportunities to push the key messages of the Policy throughout its lifetime.

6. Officer recommendations and reasons

- That the Overview and Scrutiny Management Committee notes the progress made on the refreshed Corporate Safeguarding Policy
- That the Overview and Scrutiny Management Committee are receptive to further updates being received following the roll out of the Policy

7. Cabinet Portfolio Holder's recommendations

- That the Overview and Scrutiny Management Committee notes the progress made on the refreshed Corporate Safeguarding Policy
- That the Overview and Scrutiny Management Committee are receptive to further updates being received following the roll out of the Policy

8. Contact officer

Alexia Gray (Head of Quality, Standards and Safeguarding Partnerships – Adults and Health)
Tel: 01484 221000
Email: alexia.gray@kirklees.gov.uk

9. Background Papers and History of Decisions

When producing your report you must list all the previous decisions in connection to this matter under this section and list all background papers (for public reports only).

Previous Policy:

Corporate Safeguarding Policy
Key Decision Notice
ET – 02/10/2018 Noted and Endorsed
Corporate Safeguarding Oversight Group – 16/08/2019 For info/ update
SLT Childrens – 10/09/2019 Approved
SLT Adults – 16/09/2019 Approved
SLT Corporate – 19/09/2019 Approved
Corporate Safeguarding Oversight Group – 26/09/2019 Approved
ET – 01/10/2019 Approved
Portfolio Holder Briefing 07/10/2019 – Approved
Cabinet – 05/11/2019 – Approved

Revised Policy:

Cross Council Safeguarding Policy (appended)
Key Decision Notice (appended)
List of consultees outlined under section 4
Executive Team – 18/01/2022 – approved, subject to minor amendments being made – now complete

10. Service Director responsible

David Shepherd (Strategic Director for Growth and Regeneration)

Tel: 01484 221000

E-mail: David.shepherd@kirklees.gov.uk

Kirklees Council

Cross Council Corporate Safeguarding Policy

Version Control Table

Ref	Reason for Amendment	Details of amendments	Date finalised
0.1	Review of existing policy required updates to certain sections; re-formatting and additional information to be supplied from Children's and Adults	October 2019 document re-formatted into this to reduce duplication and to ensure a better 'flow'	June 2021
0.2	Additional information required	Section added to incorporate the role of partners and information added for FGM and Hate Crime	July 2021
0.3	Review of Children and Education input	Changes made to update both these sections as many of the links were out of date	August 2021
0.4	Additional information required	Section added to incorporate HBA and FM	August 2021
0.5	Additional information required	Whistleblowing section updated as the links were out of date	August 2021
0.6	Additional information added	Safer recruitment, LADO update and DBS info	August 2021
0.7	Page 18 & 21 amended sentence	Changed to 'relevant services' as agreed at CSOG	Sept 2021
0.8	Draft foreword added	To be agreed by DS	Oct 2021
0.9	Proof read	Formatting and grammar check	Oct 2021
0.10	ET Feedback	Foreword changed to come from Cllr Pattison, rather than ET Sponsor	20/01/22
0.11	ET Feedback	Removal of requirement for all staff to sign to indicate they have completed training on corporate safeguarding but covered under revised performance and policy review section (p23)	20/01/22

'Safeguarding is Everyone's Business'

**A commitment towards
Safeguarding Children, Young People and Adults at
Risk**

January 2022

FOREWORD FROM CLLR CAROLE PATTISON PORTFOLIO LEAD FOR THE CORPORATE SAFEGUARDING OVERSIGHT GROUP

The responsibility for undertaking an overview of safeguarding arrangements across the council has been delegated to the Corporate Safeguarding Oversight Group by the Executive Team.

The main responsibilities of the Group are to ensure that robust arrangements for safeguarding children and adults are in place within and across the Council; ensuring there is effective corporate oversight of safeguarding across the range of services which the Council provides and commissions which on their own; ensuring that robust multi-agency arrangements are in place to safeguard children and vulnerable adults and that key partners have appropriate safeguarding systems in place.

As the Portfolio Lead for the Kirklees Corporate Safeguarding Oversight Group, I am delighted to introduce the Cross Council Corporate Safeguarding Policy. At the heart of this policy is an ambition for safeguarding to become everyone's business; so that everyone understands what safeguarding is, and more importantly, how to act if they do have concerns about a child and/or vulnerable adults.

The Kirklees Council Plan covers the vision and outcomes of the organisation and safeguarding is a key strategic theme throughout, as well as being a fundamental aspect of the strategies connected to the Safeguarding Adults Board, the Communities Board and the Children's Safeguarding Partnership. Our Inclusive Communities Framework is currently in development, alongside the review of our Joint Health and Wellbeing Strategy, both of which will further strengthen the council's commitment to making safeguarding everyone's business.

On a regional level, one of the West Yorkshire Mayoral Pledges is 'put keeping women and girls safe at the heart of my policing plan' and we actively support this agenda through various projects and groups, such as the Domestic Abuse Strategic Partnership's Strategy.

We will promote this policy through a range of communications and training initiatives so that everyone truly understands what an important role they play in making Kirklees a safe place for children and vulnerable adults to thrive.

Thank you,

Cllr Carole Pattison (include signature and picture)

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1.	Introduction
	<p>Kirklees Council believes that every child, young person and adult, has the right to live safe from harm, abuse and neglect.</p> <p>The Council acknowledges its role and responsibilities to provide safeguarding guidance for all staff, including those the Council contracts, elected members, voluntary staff, and partner agencies /organisations, to help protect individuals, families, and communities.</p> <p>The key message of the Corporate Safeguarding Policy is that Safeguarding is Everybody's Business and that all employees, (paid or unpaid) have a duty of care to safeguard, prevent, and report any safeguarding concern.</p> <p>Abuse, neglect, and harm can take place anywhere, at any time and be carried out by anyone. It is therefore important that all Council employees, elected members, commissioners, and volunteers are aware of their moral and legal obligations to safeguard children, young people, and adults and know what to do if they have a concern.</p> <p>Council employees who are directly involved in safeguarding children, young people and /or adults as part of their work, are expected to respond to concerns as defined by their role and/or the statutory duties of the Council as their employer.</p> <p>All managers are responsible for ensuring that they are aware of their responsibilities as outlined in this policy, and that those they manage are equally aware and briefed.</p> <p style="text-align: center;"><u>Safeguarding is everyone's responsibility regardless of whether or not there is direct contact with children, young people and /or adults as defined by job roles.</u></p> <p>This document will act as a statement to enable all Council employees, elected members, commissioners, and volunteers to understand their role and responsibilities when they have a safeguarding concern, how to report it and where to find additional information.</p>
2.	What is Safeguarding?
	<p>Safeguarding relates to all children, young people, and adults; not just those known to services.</p> <p>Safeguarding and promoting the welfare of children and young people is defined by Working Together to Safeguard Children 2018 as,</p> <ul style="list-style-type: none"> • 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, and • taking action to enable all children and young people to have the best outcomes.

Safeguarding Adults duties apply to adults over the age of 18 years old as outlined in the [Care Act 2014](#) . These relate to if an adult:

- has needs for care and support (whether or not the local authority is meeting any of those needs AND
- is experiencing, or at risk of, abuse or neglect AND
- 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.

3. Definitions, Legislation and Governance

Children and Young People

Safeguarding children and young people relates to all children and young people who have not yet reached their 18th birthday

“The fact that a child has reached 16 years of age, is living independently or is in further education, is a member of the armed forces, is in hospital or in custody in the secure estate, does not change their status or entitlements to services or protection”.

Safeguarding children and young people involves.

- protecting children from maltreatment
- preventing impairment of children’s health and development
- ensuring that children grow up in circumstances consistent with the provision of safe and effective care and
- taking action to enable all children to have the best outcomes

Child Abuse, Neglect and Harm

The abuse of a child falls under four categories

- Physical abuse
- Emotional abuse
- Sexual abuse
- Neglect

The abuse or neglect of a child can occur by inflicting harm, and /or by failing to prevent harm; harm can include:

“ill treatment that is not physical as well as the impact of witnessing ill treatment of others. This can be particularly relevant, for example, in relation to the impact on children of all forms of domestic abuse. Children may be abused in a family or in an institutional or community setting by those known to them or, more rarely, by others. Abuse can take place wholly online, or technology may be used to facilitate offline abuse. Children may be abused by an adult or adults, or another child or children. ”

(Working Together to Safeguard Children 2018)

Legislation: Safeguarding Children and Young People

The legislation and statutory guidance stating the responsibilities for the safeguarding of children and young people are found within the Children Act 1989 and 2004 as amended by the Children and Social Work Act 2017; The Education Act 2002 and 2011; the Working Together to Safeguard Children 2018; the Safeguarding Vulnerable Groups Act 2006 and Keeping Children Safe in Education 2021. The Local Authority also has a Model Policy in place to ensure compliance with the above overarching legislation.

In accordance with Working Together to Safeguard Children 2018, local authorities, working with partner organisations and agencies, have specific duties to safeguard and promote the welfare of all children in their area.

Kirklees Safeguarding Children Partnership

The Children Act 2004, as amended by the Children and Social Work Act 2017, placed new duties on key agencies in a local area, specifically,

- the police,
- clinical commissioning groups and
- the local authority

to make arrangements to work together, and with other partners locally, to safeguard and promote the welfare of all children in their area.

To ensure effective safeguarding of all children in the local area, the statutory Safeguarding Children Partnership arrangements should have effective links with other strategic partnership work in the local area, for example, the Health and Wellbeing Board, Adult Safeguarding Board, and the Community Safety Partnership.

In addition to the duties of the three statutory safeguarding partners, all organisations and agencies have a shared responsibility to safeguard and promote the welfare of all children in a local area and under, section 11 of the Children Act 2004 many local organisations and agencies have a duty to ensure that they consider the need to safeguard and promote the welfare of children when carrying out their functions.

Further information can be found at the [KSCP website](#).

Keeping Children Safe in Education (KCSIE)

KCSIE 2021 is statutory guidance from the Department for Education issued under Section 175 of the Education Act 2002, the Education (Independent School Standards) Regulations 2014, the Non-Maintained Special Schools (England) Regulations 2015, and the Education and Training (Welfare of Children) Act 2021.

Schools and colleges in England must have regard to it when carrying out their duties to safeguard and promote the welfare of children.

For the purposes of this guidance children includes everyone under the age of 18. The guidance is for:

- ‘schools’ means: all schools whether maintained, non-maintained or independent schools (including academies, free schools and alternative provision academies), maintained nursery schools and pupil referral units.
- ‘college’ means further education colleges and sixth-form colleges as established under the Further and Higher Education Act 1992, institutions designated as being within the further education sector and providers of post 16 Education as set out
- in the Education and Training (Welfare of Children) Act 2021: 16-19 Academies, Special Post-16 institutions and Independent Training Providers. For colleges, the guidance relates to their responsibilities towards children who are receiving education or training at these institutions.

The Council ensures our compliance with KCSIE 2021 through Letters of Assurance (LOAs) for all council services and staff providing services or contracts to any of the above organisations; the councils LOAs are updated (at least annually) and made available to all schools via Kirklees Business Solutions webpage.

Adults

Definition of ‘adult at risk’

The Care Act 2014 defines an ‘adult at risk’ 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*

Definition of ‘safeguarding adults at risk’

The Care Act 2014 defines adult safeguarding as:

“...protecting an adult’s right to live in safety, free from abuse and neglect. It is about people and organisations working together to prevent and stop both the risks and experience of abuse or neglect, while at the same time making sure that the adult’s wellbeing is promoted including, where appropriate, having regard to their views, wishes, feelings and beliefs in deciding on any action. This must recognise that adults sometimes have complex interpersonal relationships and may be ambivalent, unclear or unrealistic about their personal circumstances.” (Care Act 2014 Statutory Guidance, 2018, para 14.7).

An explanation of the types of abuse of an adult at risk can be found in section 4 of this policy but it must be noted that this list is not exhaustive and **“Local Authorities should not limit their view of what constitutes abuse or neglect, as they can take many forms and the circumstances of the individual case should always be considered”** (Care and Support Statutory Guidance, update Feb 2018. para 14.17)

Legislation: Safeguarding Adults at Risk

Section 42 of the Care Act 2014 sets out the statutory responsibility to safeguard adults The Act refers to safeguarding an ‘adult at risk’ as defined in Section 3.2 of this policy.

Statutory responsibilities for local authorities regarding adult safeguarding apply equally to those adults with care and support needs, regardless of whether those needs are being met. The duties also apply regardless of whether the adult is assessed as meeting current eligibility for social care, lacks mental capacity or not, and regardless of setting (with exception to prisons and approved premises).

The local authority must make whatever enquiries it thinks is necessary if it believes an adult is experiencing or at risk of abuse or neglect; to enable it to decide whether any action should be taken in the adult's case and if so what action and by who. The organisation should promote the adult's wellbeing in their safeguarding arrangements and the ***six principles of Safeguarding*** also underpin this; informing how professionals and others should work with adults:

- Empowerment
- Prevention
- Proportionality
- Protection
- Partnership
- Accountability

In addition to the six principles, it is important that the safeguarding concern and any enquiry focuses on ***'Making Safeguarding Personal' (MSP)***. This concept allows the concern to be person-centred and outcome led as well as empowering the adult at risk and encouraging choice and involvement.

Kirklees Safeguarding Adults Board (KSAB)

Section 43 of the Care Act 2014 prescribes that all local authorities in England must establish a Local Safeguarding Adults Board in its area. The fundamental priority is to protect adults at risk from abuse as defined in Section 42 of the Act, by coordinating and ensuring the effectiveness of each of its members.

The Local Safeguarding Adults Board must also arrange for reviews to take place for any cases within its area where an adult at risk dies or has experienced serious neglect or abuse, and there is concern that agencies could have worked more effectively to protect the adult.

There are three statutory partners for the local safeguarding Adults Board (as per the Care Act 2014): the local authority; Clinical Commissioning Groups and the Police. In addition, the board can opt to invite representatives from other appropriate agencies to join.

Further information can be found at the [KSAB website](#).

Kirklees Communities Board (incorporating the statutory Community Safety Partnership)

Section 5 of the Crime and Disorder Act 1998 and subsequent legislative amendments places a statutory duty on a number of responsible authorities to work in partnership to reduce crime and disorder. Known as Community Safety Partnerships (CSPs) the act defines CSPs as "An alliance of organisations which generate strategies and policies, implement actions and interventions concerning crime and disorder within their partnership area". In Kirklees the CSP is known as the Communities Board and also brings together the partnership arrangements to develop cohesive communities.

The statutory obligations of the Communities board are:

- Develop a **Partnership Plan** and deliver the outcomes of the Partnership Plan across the communities of Kirklees. This also includes monitoring progress
- Analyse a wide range of data, including crime levels and patterns, in order to identify priorities in an annual **strategic assessment**
- Produce a strategy to **reduce re-offending**

- Have overview and responsibility for **domestic homicide reviews**.
- Engage and consult with the local **community** about priorities and progress in achieving them
- set up protocols and systems for **sharing information**
- To have a crime and disorder **scrutiny committee** with the power to review and scrutinise decisions made and action taken by the CSP.
- To **assess value for money** of partnership activities.

Communities Board strategic commitments

The Communities Partnership Plan 2018 – 2021 identifies four priorities/ themes:

- Preventing and Reducing Crime
- Tackling Anti-Social Behaviour (ASB)
- Protecting people from serious harm
- Improving Place

Partnerships

Protecting those who are vulnerable and/or at risk requires a system wide partnership response, and our partners are intrinsic to the successful implementation of this policy.

Whilst this policy is intended for Kirklees Council, it is recognised that we work closely with a wide range of partners, including Health, West Yorkshire Police, West Yorkshire Fire & Rescue, Housing, local businesses, and voluntary and community sector groups. Kirklees Council is committed to effective partnership arrangements and multi-agency solutions to help ensure the best outcomes for individual children, young people, adults, and their wider families and communities

4. What is meant by Abuse, Harm, and Neglect?

Abuse is an umbrella term relating to many types of behaviours and activities which cause harm. Whilst the policy references certain abuses which relate to children and adults separately, it is recognised that most can affect any child or adult, regardless of age. The glossary below clarifies the different types of abuse and the characteristics associated with each type:

Physical Abuse of Children	A form of abuse which may involve hitting, shaking, throwing, poisoning, burning, or scalding, drowning, suffocating, or otherwise causing physical harm to a child. Physical harm may also be caused when a parent or carer fabricates the symptoms of, or deliberately induces, illness in a child.
Physical Abuse of Adults	Assault, hitting, slapping, pushing, misuse of medication, restraint, or inappropriate physical sanctions. Restraint Unlawful or inappropriate use of restraint or physical interventions. In extreme circumstances unlawful or inappropriate use of restraint may constitute a criminal offence. Someone is using restraint if they use force, or threaten to use force, to make someone do something they are resisting, or where an adult's freedom of movement is restricted, whether they are resisting or not.

		<p>Restraint covers a wide range of actions. It includes the use of active or passive means to ensure that the person concerned does something, or does not do something they want to do, for example, the use of key pads to prevent people from going where they want from a closed environment.</p>
	<p>Emotional Abuse of Children</p>	<p>The persistent emotional maltreatment of a child such as to cause severe and persistent adverse effects on the child’s emotional development.</p> <p>It may involve conveying to a child that they are worthless or unloved, inadequate, or valued only insofar as they meet the needs of another person. It may include not giving the child opportunities to express their views, deliberately silencing them or ‘making fun’ of what they say or how they communicate. It may feature age or developmentally inappropriate expectations being imposed. These may include interactions that are beyond a child’s developmental capability, as well as overprotection and limitation of exploration and learning, or preventing a child participating in normal social interaction.</p> <p>It may involve seeing or hearing the ill-treatment of another. It may involve serious bullying (including cyber bullying), causing children frequently to feel frightened or in danger, or the exploitation or corruption of children. Some level of emotional abuse is involved in all types of maltreatment of a child, though it may occur alone.</p>
	<p>Child Sexual Abuse</p>	<p>Involves forcing or enticing a child to take part in sexual activities, not necessarily involving a high level of violence, whether or not the child is aware of what is happening.</p> <p>The activities may involve physical contact, including assault by penetration (for example, rape or oral sex) or non-penetrative acts such as masturbation, kissing, rubbing, and touching outside of clothing. They may also include non-contact activities, such as involving children in looking at, or in the production of, sexual images, watching sexual activities, encouraging children to behave in sexually inappropriate ways, or grooming a child in preparation for abuse (including via the internet).</p> <p>The sexual abuse of children can be committed by adults and/or by other children.</p>
	<p>Sexual Abuse of Adults</p>	<p>Examples of sexual abuse include rape, indecent exposure, 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.</p> <p>Sexual abuse is not confined to issues of consent the following factors should also be considered:</p> <ul style="list-style-type: none"> • Any sexual relationship or inappropriate sexualised behaviour between a member of staff and service user should lead to disciplinary proceedings;

	<ul style="list-style-type: none"> A sexual act between a care worker and service user with a mental disorder is also a criminal offence under section 38-42 of the Sexual Offences Act.
Child Neglect	<p>The persistent failure to meet a child’s basic physical and/or psychological needs, likely to result in the serious impairment of the child’s health or development. Neglect may occur during pregnancy as a result of maternal substance abuse. Once a child is born, neglect may involve a parent or carer failing to:</p> <ul style="list-style-type: none"> provide adequate food, clothing, and shelter (including exclusion from home or abandonment) protect a child from physical and emotional harm or danger ensure adequate supervision (including the use of inadequate caregivers) ensure access to appropriate medical care or treatment <p>It may also include neglect of, or unresponsiveness to, a child’s basic emotional needs.</p>
Adult Neglect and Acts of Omission	<p>Ignoring medical, emotional, or physical care needs, failure to provide access to appropriate health, social care or educational services, and the withholding of the necessities of life such as medication, adequate nutrition, and heating. Neglect also includes a failure to intervene in situations that are dangerous to the person concerned or to others, particularly when the person lacks the mental capacity to assess risk for themselves.</p> <p>https://www.kirklees.gov.uk/beta/adult-social-care-providers/pdf/ksab-multi-agency-protocol-managing-self-neglect.pdf</p>
Discriminatory Abuse of Adults	<p>Discrimination on the grounds of race, faith or religion, age, disability, gender, sexual orientation, and political views, along with racist, sexist, homophobic or ageist comments or jokes, or comments and jokes based on a person’s disability or any other form of harassment, slur, or similar treatment.</p> <p>Excluding a person from activities on the basis they are ‘not liked’ is also discriminatory abuse.</p>
Financial or material Abuse of Adults	<p>Theft, fraud, internet scamming, postal and doorstep scams, coercion in relation to an adult’s financial affairs or arrangements, including in connection with wills, property, inheritance or financial transactions, or the misuse or misappropriation of property, possessions or benefits are all forms of financial abuse and are often targeted at adults at risk. Financial abuse can have serious effects including loss of income and independence and harm to health, including mental health.</p> <p>The adult at risk can be persuaded to part with large sums of money and in some cases their life savings. These instances should be reported to the local police service and local authority Trading Standards Services for investigation.</p> <p>Where the abuse is perpetrated by someone who has the authority to manage an adult’s money, the relevant body should be informed, e.g., the Office of the Public Guardian for deputies and attorneys and DWP for appointees.</p>
Organisational Abuse of Adults	<p>Is the mistreatment, abuse, or neglect of an adult by a regime or individuals in a setting or service where the adult lives, or by one that they use.</p>

	<p>Psychological Abuse of Adults</p>	<p>Emotional abuse, threats of harm or abandonment, deprivation of contact, humiliation, blaming, controlling, intimidation, coercion, harassment, verbal abuse, cyber bullying, isolation or unreasonable and unjustified withdrawal of services or supportive networks.</p>
	<p>Domestic Abuse; Children and Adults</p>	<p>The Government definition of Domestic Abuse is: 'Any incident or pattern of incidents of controlling, coercive or threatening behaviour, violence or abuse between those aged 16 or over who are or have been intimate partners or family members regardless of gender or sexuality. This can encompass, but is not limited to, the following types of abuse:</p> <ul style="list-style-type: none"> • Psychological • Physical • Sexual • Financial/economic • Emotional <p>Domestic abuse can take place inside or outside of the home, and anyone can be a victim regardless of gender, age, ethnicity, socio-economic status, sexuality, or background.</p> <p>Types of domestic abuse include intimate partner violence, abuse by family members, teenage relationship abuse and adolescent to parent violence.</p> <p>Children may experience domestic abuse directly, as victims in their own right, or indirectly due to the impact the abuse has on others, such as a non-abusive parent.</p> <p>The Government definition, which is not a legal definition, includes so called 'honour' based violence, female genital mutilation (FGM) and forced marriage, and is clear that victims are not confined to one gender or ethnic group (see additional information below).</p>
	<p>Controlling and Coercive Behaviour; Children and Adults</p>	<p>Controlling behaviour is:</p> <ul style="list-style-type: none"> • a range of acts designed to make a person subordinate and/or dependent by isolating them from sources of support, exploiting their resources and capacities for personal gain, depriving them of the means needed for independence, resistance and escape and regulating their everyday behaviour <p>Coercive behaviour is:</p> <ul style="list-style-type: none"> • an act or a pattern of acts of assault, threats, humiliation and intimidation or other abuse that is used to harm, punish, or frighten their victim <p>Coercive control is:</p> <ul style="list-style-type: none"> • a form of abuse that involves multiple behaviours and tactics which reinforce each other and are used to isolate, manipulate, and regulate the victim. This pattern of abuse creates high levels of anxiety and fear. Coercive control can have a significant impact on children and young people, both directly, as victims, and indirectly due to the impact the abuse has on the non-abusive adult. <p>Children may also be forced to participate in controlling or coercive behaviour towards the parent who is being abused.</p>

So called Honour Based Abuse and Forced Marriage; Children and Adults

Honour based abuse is a collection of practices used to control behaviour within the family and community in order to protect perceived cultural and religious beliefs and/or honour.

Abuse can occur when perpetrators perceive that a person has shamed the family and/or community by breaking their honour code.

Women are predominantly, but not exclusively, the victims, which can be distinguished from other forms of violence, as it is often committed with some degree of approval and/or collusion from family and/or community members.

Men and boys can also be victims, sometimes as a consequence of their involvement in what is deemed to be an inappropriate relationship, if they are same sex, or if they are believed to be supporting the victim.

Honour based abuse occurs across all cultures, nationalities, faith groups and communities. Relatives, including females, may conspire, aid, abet or participate in honour based abuse, for what might seem a trivial transgression.

The list is not exhaustive but examples of HBA may include:

- Murder
- Unexplained death (suicide)
- Forced marriage
- Fear of forced marriage
- Controlling sexual activity
- Domestic violence (Including psychological, physical, sexual, financial or emotional abuse)
- Child abuse
- Rape
- Kidnapping
- False imprisonment
- Threats to kill
- Assault
- Harassment
- Forced abortion

A forced marriage is where one or both people do not (or in cases of people with learning disabilities or reduced capacity, cannot) consent to the marriage as they are pressurised, or abuse is used, to force them to do so. It is recognised in the UK as a form of domestic or child abuse and a serious abuse of human rights.

The pressure put on people to marry against their will may be:

- physical: for example, threats, physical violence or sexual violence
- emotional and psychological: for example, making someone feel like they are bringing 'shame' on their family

	Financial abuse, for example taking someone's wages, may also be a factor
Female Genital Mutilation (FGM); - Adults and Children	<p>FGM is any procedure which involves the partial or complete removal of the external female genitalia, or other injury to the female genital organs for no medical reason. FGM is illegal in the UK and it is also illegal to a female (child or adult) out of the UK for FGM or for anyone to circumcise women or children for cultural or non-medical reasons here in the UK.</p> <p>In accordance with the Serious Crime Act 2015 there is a mandatory duty to report Female Genital Mutilation</p>
Child Exploitation - Sexual	<p>Child sexual exploitation is when an individual or a group of people takes advantage of an imbalance of power to coerce, manipulate or deceive a child under the age of 18 into sexual activity</p> <ul style="list-style-type: none"> • in exchange for something the victim needs or wants, and/or • for the financial advantage or increased status of the perpetrator or facilitator. <p>A child may be sexually exploited even if the sexual activity appears consensual. The sexual exploitation of children does not always involve physical contact; it can also occur through the use of technology.</p>
Child and Adult Criminal Exploitation -	<p>The criminal exploitation of children involves an individual or group taking advantage of an imbalance of power to coerce, control, manipulate or deceive a child under the age of 18 into any criminal activity</p> <ul style="list-style-type: none"> • in exchange for something the victim needs or wants, and/or • for the financial or other advantage of the perpetrator or facilitator and/or • through violence or the threat of violence. <p>A child may have been criminally exploited even if the activity appears consensual. Child criminal exploitation does not always involve physical contact; it can also occur through the use of technology.</p> <p>County Lines involves gangs and organised criminal networks exporting illegal drugs into one or more importing areas within the UK, using dedicated mobile phone lines or other form of 'deal line'. This may involve the exploitation of children and/or vulnerable adults to move and store the drugs and money,</p>
Peer on Peer Abuse - Children	<p>Peer on peer abuse can include (but is not limited to),</p> <ul style="list-style-type: none"> • Bullying - (including cyberbullying) • Physical abuse – including hitting, kicking, shaking, biting, hair pulling, or otherwise causing physical harm • Sexual violence, including rape, assault by penetration and sexual assault • Sexual harassment, such as sexual comments, remarks, jokes and online sexual harassment, which may be stand-alone or part of a broader pattern of abuse • Upskirting; which typically involves taking a picture under a person's clothing without them knowing, with the intention of viewing their genitals or buttocks to obtain sexual gratification, or cause the victim humiliation, distress, or alarm, • Sexting (also known as youth produced sexual imagery); and • Initiation type violence and rituals.

	<p>Hate Crimes and Hate Incidents; - Adults and Children</p>	<p>A hate crime is any criminal offence which is perceived by the victim or any other person, to be motivated by hostility or prejudice based on a person's disability, race, religion, sexual orientation or gender identity or perceived disability, race, religion, sexual orientation, or gender identity. Examples can include:</p> <ul style="list-style-type: none"> • Physical attacks • Damage to property • Offensive graffiti and arson <p>Also, threat of attack, such as inciting hatred by words, pictures or videos, offensive letters, abusive or obscene telephone calls, groups hanging around to intimidate, and unfounded malicious complaints.</p> <p>A hate incident is any non-crime incident which is perceived by the victim or any other person to be motivated by hostility or prejudice based on a person's disability, race, religion, sexual orientation or gender identity or perceived disability, race, religion, sexual orientation, or gender identity. Examples can include:</p> <ul style="list-style-type: none"> • Verbal or online abuse • Insults or harassment, such as taunting • Offensive leaflets or posters • Abusive gestures • Dumping of rubbish outside homes or through letterboxes • Bullying at school or in the workplace
	<p>Prevent and Channel – the risk of extremism</p>	<p>Prevent is part of the National Prevent Strategy, published by the government in 2011. It is part of the UK's overall counter-terrorism strategy known as CONTEST. Channel is a multi-agency approach to safeguarding, supporting and protecting children, young people and vulnerable adults at risk of radicalisation, extremism or terrorist related activity.</p>
	<p>Modern Slavery – Adults and Children</p>	<p>Modern Slavery is an umbrella term, encompassing human trafficking, slavery, servitude and forced labour. It is a hidden crime and victims include adults and children. Victims are controlled, may be transported a short distance or across continents to be forced into jobs they do not want to do. The Modern Slavery Act 2015 places a duty on local authorities to report details of suspected cases of modern slavery to the National Crime Agency.</p> <p>Slavery, servitude and forced or compulsory labour. A person commits an offence if:</p> <ul style="list-style-type: none"> • A person holds another person in slavery or servitude and the circumstances are such that the person knows or ought to know that the other person is held in slavery or servitude; or • The person requires another person to perform forced or compulsory labour and the circumstances are such that the person knows or ought to know that the other person is being required to perform forced or compulsory labour. <p>There are many different characteristics that distinguish slavery</p>
<p>5.</p>	<p>Who is Affected by Abuse?</p>	

	Any children, young person or adult can experience abuse, neglect, and harm. If you suspect that it is taking place, you should follow the procedures set out in this policy.
6.	Where does abuse occur
	<p>Abuse can be perpetrated by anyone, and can by happen anywhere, including in a child or adult’s own home, in their community, within their family or friendship group, and or in any setting, e.g., an early years setting, a school, college, or workplace, a care/residential home, a hospital, or in voluntary /leisure activity setting. Those who may abuse include:</p> <ul style="list-style-type: none"> • parents • siblings • spouses/partners • extended family members • friends and acquaintances • neighbours/local residents • paid (or unpaid) staff • volunteers • individuals/groups unknown to the victim (including via the internet) • People in a position of trust (Person in a Position of Trust – PiPoT)
7.	Responsibilities for Safeguarding
	<p>As abuse can take place anywhere, at any time and by anyone, it is important that we are all aware of the signs of abuse and what our responsibilities are.</p> <p>All staff and volunteers</p> <p>Everyone working within the Council, paid or unpaid has safeguarding responsibilities and should:</p> <ul style="list-style-type: none"> • be familiar with this policy, • know how to raise a safeguarding concern, • be familiar with any additional responsibilities they may have in respect of their role. • undertake safeguarding training required of them. <p>All staff and volunteers are expected to participate in safeguarding training. The level of training required will be appropriate and proportionate to positions held, roles and responsibilities.</p> <p>The Chief Executive</p> <p>The Chief Executive holds the overall responsibility for ensuring Kirklees Council has adequate and effective safeguarding arrangements in place for children, young people and adults at risk. These include appropriate reporting mechanisms; policies and procedures and training; ensuring that statutory requirements are met.</p> <p>The Director for Children’s Services/ Designated Lead Member for Children’s Services</p> <p>In accordance with the Children Act 2004 (section 18 (7) and 19 (2)), Local authorities in England must appoint a Director of Children’s Services (DCS) and ensure the designation of a Lead Member for Children’s Services (LMCS).</p>

The DCS has professional responsibility for the leadership, strategy, and effectiveness of local authority children’s services. The LMCS, as a member of the Council, has political responsibility for the leadership, strategy, and effectiveness of local authority children’s services.

The DCS and LMCS should ensure that effective arrangements are in place to protect children and young people from harm.

Strategic Director for Adults and Health (Director for Adult Social Services)

The above role includes the responsibilities held by the role known in the Care Act 2014 as ‘Director for Adult Social Services’ and has a leadership and challenge role in relation to safeguarding. The key elements to the role are the promotion of a person-centred culture and early intervention, prevention and partnership working, to find proactive solutions to safeguarding.

Elected Members

Elected Members are the leaders within their wards and therefore have a crucial role in engaging the public in safeguarding and responding to any concerns they are made aware of. Elected Members also provide an additional level of scrutiny regarding service provision and delivery, the commissioning of provision and Council policy.

Commissioners

Commissioners should gain assurances from their contracted providers and services around their legislative responsibilities regarding the quality and safety of their organisations and ensure that that relevant safeguarding policies and procedures are in place, are being adhered to and are reviewed appropriately. Commissioners should also ensure that mechanisms are in place to hold providers to account where any safeguarding concerns arise.

Commissioners should also work closely with regulatory bodies such as Ofsted or the Care Quality Commission and share information relating to services, settings and/or practice appropriately to ensure children, young people and adults are safe from abuse, neglect, and harm.

8. Reporting a safeguarding concern

The Council is committed to protecting all children and adults at risk in Kirklees from harm.

All Council workers are expected to safeguard any child or adult at risk who comes to their notice, where it is believed they may be suffering harm.

The aim of this section is to ensure that all council employees understand their personal responsibilities for protecting vulnerable groups in Kirklees and are:

- able to take appropriate action if there are suggestions that abuse is taking place
- are informed and able to respond in a helpful manner where anyone discloses to them that abuse is happening.

Staff working in a setting where abuse is suspected should report concerns to their manager or nominated person within their organisation within the same working day. The following additional information may be helpful to reference

- any specialised training undertaken;
- [Child abuse concerns: guide for practitioners - GOV.UK \(www.gov.uk\)](http://www.gov.uk) (Children and Young People)
- [the West Yorkshire consortium online safeguarding children procedures](http://proceduresonline.com) (Children and Young People)
- [Contacts and Referrals \(proceduresonline.com\)](http://proceduresonline.com)

- the [Joint Multi-Agency Safeguarding Adults Policy and Procedures](#) (Adults)
- any other procedure/s as prescribed by the service.

Do not worry that you might have got it wrong, and that abuse is not taking place. It is more important that you report any concerns that you might have, as quickly as possible, so that the relevant services can take responsibility for deciding what needs to happen next.

If any adult or child is in danger, first, ensure the individual is safe. Call the emergency services if immediate help is needed.

How to report your concerns in an emergency - Children and Adults

If any adult or child is in danger, first, ensure the individual is safe. Call the emergency services if immediate help is needed and you require an immediate response:

- In an emergency, don't wait - call 999
- Call the police on 101 if you suspect a crime

Children

Children includes everyone under the age of 18. If you are concerned that a child living in Kirklees is being abused, you can telephone or email:

- Kirklees Duty & Advice 01484 414960 or DutyAdvice.Admin@kirklees.gov.uk
- Kirklees Designated Officer (LADO) 01484 221126 or LADO.cases@kirklees.gov.uk

NB: Employees should note that any concerns they have, can be treated in confidence, as set out in the Council's Whistleblowing Policy.

Framework for making child safeguarding decisions in Kirklees

This document sets out the approach in Kirklees to keeping children safe and protected from harm. It is designed to ensure that across the continuum of need professionals consider that the right help is given to the right children at the right time and for the right duration.

[Framework-for-making-safeguarding-decisions-in-Kirklees.pdf \(kirkleessafeguardingchildren.co.uk\)](#)

For more information, please refer to

[Reporting-child-abuse-CM3219.1.pdf \(kirkleessafeguardingchildren.co.uk\)](#)

You can also contact the Kirklees Safeguarding Children Partnership Business unit on – **01484414960**

- Email: KSCB.admin@kirklees.gov.uk
- <https://www.kirkleessafeguardingchildren.co.uk/>

Adults

If you are concerned that an adult at risk living in Kirklees is being abused you can telephone, visit or email:

- Kirklees Council Civic Centre 3, Market Street, Huddersfield, HD1 2TG
- Walsh Building, Town Hall Way, Dewsbury, WF12 8EQ
- Tel: 01484 414933 Open 24 hours a day

	<ul style="list-style-type: none"> Email: gatewaytocare@kirklees.gov.uk <p>All safeguarding concerns will be taken seriously; enquiries will be made about your concerns and discussions will take place with colleagues in the police if it is a criminal matter. In addition, the wishes of the adult at risk will be considered as part of the enquiry and support will be put into place to achieve the changes they want to be made (wherever possible) including developing a plan with the adult at risk to keep them safe in the future. Full information can be found on the 'report abuse or neglect of an adult at risk' webpage.</p> <p>Additional information on how to identify abuse, report concerns and general information about safeguarding adults at risk can be found at the Kirklees Safeguarding Adults Board website</p> <p>If you are in any doubt about reporting your concerns don't think 'what if I'm wrong?' think 'what if I'm right?'</p>
9.	<p>Safeguarding concerns you may have about any adult in a position of trust or working (paid or unpaid) with children</p>
	<p>Children and Young People</p> <p>The Local Authority Designated Officer (LADO) must be informed within 1 working day (or the next working day) when an allegation is made; prior to any further investigation taking place. Improved outcomes for children are aided by close collaboration between single and multi-agency partners, through timely quality conversations.</p> <p>Who should be referred to the LADO?</p> <p>All allegations relating to harm of a child or young person by those who work with them, must be taken seriously. A referral should be made when it is alleged that a person who works with children (paid or unpaid capacity) has:</p> <ul style="list-style-type: none"> Behaved in a way that has or may have harmed a child Possibly committed a criminal offence against/related to a child Behaved toward a child in a way that indicates he or she would pose a risk of harm or Behaved or may behave in a way that indicates they may not be suitable to work with children An allegation has been made against a person in relation to his/her work with adult service users, which causes concern about the welfare of an adult service user's children or the person also has another role working with children <p>Reasons for an allegation</p> <p>An allegation is made against a person in relation to a matter that may indicate that the person may not be suitable to work with children. This can relate to his/her employment or voluntary activity, or to a person's private life e.g.,</p> <ul style="list-style-type: none"> Concerns arise about a person's behaviour about his/her own children Concerns arise about the behaviour of a partner, member of the family or other household member Where other information suggests they may pose a risk to any person that may demonstrate a transferable risk within their role with children

The LADO will ensure that all allegations and enquires are managed proportionately and appropriately; sharing information to ensure that children are safeguarded within multi agency settings.

More information and how guidance on how to make a referral can be found at [Local Authority Designated Officer \(LADO\) | Kirklees Council](#)

Adults

The Person in a Position of Trust (PiPoT) deals with safeguarding concerns which relate to a person who works with adults within a statutory or voluntary organisation. The PiPoT will then manage any enquiries appropriately and ensure that information is appropriately shared with relevant agencies, dependent on the nature of the enquiry.

Whilst the focus of safeguarding adults is to safeguard one or more identified adults in care or with support needs, there are occasions when incidents must be reported that do not involve adults at risk but indicate, that a risk may be posed to adults by a Person in a Position of Trust (PIPOT); concerns relating to PIPOT's should be shared via the above telephone and gateway to care email.

Staff working in a setting where abuse is suspected should report concerns to their manager or nominated person within their organisation within the same working day. It does not matter if the allegation is in doubt or proves to be wrong. This can be reported by using the details below:

- Tel: 01484 414933 Open 24 hours a day
- Email: gatewaytocare@kirklees.gov.uk

Do not worry that you might have got it wrong and that adult abuse is not taking place. It is more important that you report any concerns that you might have, as quickly as possible, so that adult social care services can take responsibility for deciding what needs to happen next

10. Whistleblowing

If you have concerns about another employee, elected member, or volunteer within the Council, you may want to raise the concern in a different way. Whistleblowing is the term used when a worker reports a concern which is in the public interest. Further information on this can be found at: <https://www.gov.uk/whistleblowing>

The Council has its own whistleblowing procedure which covers all areas of concerns, not just safeguarding. Initially you should speak with your line manager to address the concern or approach your Service Director. If you are unable to speak with anyone in your service, there is a dedicated Service Director for whistleblowing as detailed in the policy: <https://www.kirklees.gov.uk/beta/delivering-services/pdf/whistleblowing-policy.pdf>

Whistleblowing and the Care Quality Commission (CQC)

If you work in a service regulated by the Care Quality Commission (CQC) and have concerns about the care being provided, ideally you should report this via the Council's whistleblowing procedure but you can also report your concern/s directly to the CQC. This following link explains how to do this: https://www.cqc.org.uk/sites/default/files/20200420_Whistleblowing_quick_guide_final_update.pdf

Whistleblowing and Ofsted

	<p>Ofsted regulate and inspect children’s social care services in England including:</p> <ul style="list-style-type: none"> • children’s homes • residential family centres • independent fostering agencies • voluntary adoption agencies • adoption support agencies • residential holiday schemes for disabled children <p>If you have an issue or concern about a service that Ofsted regulate you should contact the service first, to discuss your concerns. Concerns can be reported directly via</p> <ul style="list-style-type: none"> • The Ofsted whistleblowing hotline on 0300 1233155 (8am to 6pm, Monday to Friday) • Or by email @ whistleblowing@ofsted.gov.uk • You can write to: WBHL, Ofsted, Piccadilly Gate, Store Street, Manchester, M1 2WD, or • you can contact the NSPCC National Whistleblowing Advice Line. Whistleblowing Advice Line NSPCC
11.	Confidentiality
	<p>All information received by the Council which relates to any safeguarding matter will be treated in confidence and will be shared appropriately (need to know) where we feel you or someone else is at ‘risk of harm’.</p>
12.	Safeguarding Information Sharing
	<p>As outlined within the Working Together to Safeguard Children 2018, and the Adult’s <u>Joint Multi-Agency Safeguarding Adults Policy and Procedures</u>, effective sharing of information between practitioners and local organisations and agencies is essential for early identification of need, assessment, and service provision to keep children and adults safe. Safeguarding Practice Reviews (SPRs), Safeguarding Adult Reviews (SARs) and Domestic Homicide Reviews (DHRs) have highlighted that missed opportunities to record, understand the significance of and share information in a timely manner can have severe consequences for the safety and welfare of children and adults.</p> <p>Practitioners should be proactive in sharing information as early as possible to help identify, assess and respond to risks or concerns about the safety and welfare of children, whether this is when problems are first emerging, or where a child is already known to local authority children’s social care (e.g. they are being supported as a child in need or have a child protection plan). Practitioners should be alert to sharing important information about any adults with whom that child has contact, which may impact the child’s safety or welfare.</p> <p>Fears about sharing information must not be allowed to stand in the way of the need to promote the welfare, and protect the safety, of children, which must always be the paramount concern.</p> <p>The responsibility to share information covers anyone engaged in Kirklees Council work (paid or unpaid) in a position of trust, with vulnerable groups whether directly employed or not. For clarity, this includes: Employees, Volunteers, Apprentices, Work placements, Student placements, Short or long-term work experience, Foster carers, Adopters, Guardians, Personal Assistants, Agency staff, Commissioned services, and contractors. (this list is not exhaustive)</p>

	<p>Sharing the right information, at the right time, with the right people is fundamental to good practice in safeguarding. Information should therefore be shared effectively and efficiently in respect of issues that may affect the safety and welfare of children, young people, and adults</p> <p>Wherever possible you should aim to gain consent to share information, but you should be mindful of situations where to do so would place a child, young person, or adult at risk at increased risk of harm. Information may be shared without consent if you have reason to believe that there is good reason to do so.</p> <p>For more information relating to sharing concerns about children and young people please refer to, Information sharing: advice for practitioners (publishing.service.gov.uk)</p> <p>For more information relating to sharing concerns about adults, please refer to section 1.7 in the Joint Multi-Agency Safeguarding Adults Policy and Procedures</p>
13.	Safer Recruitment and Retention
	<p>Experience over many years shows that it is important for organisations that provide services to children and adults at risk to incorporate into their recruitment and selection procedures, measures that help deter, reject or identify people who might abuse any vulnerable group, or who are otherwise unsuited to work with them. Making safeguarding and promotion of the welfare of children and adults at risk is an integral part of workforce management and an essential part of creating safe environments for all vulnerable groups.</p> <p>The implementation Safer recruitment supports the Kirklees journey and vision to becoming a safer organisation through these consequent actions, they are.</p> <ul style="list-style-type: none"> • Recruit Social Care staff in accordance with Regulation 19 (Fit and proper persons employed) Schedule 3: Health and Social Care Act 2008 (Regulated Activities) Regulations 2014 • In line with Bichard 2004 – Recommendations • Reduce the reliance on criminal record checks (DBS) • Recruitment / selection process needs to be a further safeguard • Evidence base that the council meets our stated position re ‘Letters of Assurance’ for contracts/service with schools. • The transparent and structured management of any disclosed information <p>All statutory and public organisations which employ staff and/or volunteers to work with or provide services for children and adults at risk have a duty to safeguard and promote the child’s or adult’s welfare. This includes ensuring that safe recruitment and selection procedures are in place to deter, reject or identify people who might abuse or are otherwise unsuitable to work with them.</p> <p>Safer practice in recruitment means thinking about safeguarding at every stage of the process.</p> <p>References</p> <p>The council recognises that a significant number of our work force work within notifiable occupations, therefore as an employer we have a responsibility to ensure that references are accurate, objective and does not contain any material misstatement or omissions.</p> <p>As an employer we have a responsibility to request and to share information where the reference subject has had allegations upheld (substantiated) that relate either to the safety and welfare of vulnerable groups or behaviours towards vulnerable groups and how the matter was resolved.</p>

	<p>As an employer we should seek to request and to share details where the reference subject has had any disciplinary procedures involving the safety and welfare of vulnerable groups, including in which the disciplinary sanction has expired, and the outcome of those procedures.</p> <p>Details of any allegation which are found to be Malicious or False (Education sector only) should be removed from an individual's personnel record.</p>
14.	Disclosure and Barring Service (DBS)
	<p>The Council DBS statement set out the council's approach to using DBS checks and forms part of the Council's overall safeguarding, safer recruitment strategies and covers the use of disclosure and Barring Service (DBS) Disclosures for eligible positions, as determined by the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975, Police Act 1997, Safeguarding Vulnerable Groups Act (2006) and Protection of Freedoms Act (2012).</p> <p>DBS checks are carried out on appointment for eligible roles. https://intranet.kirklees.gov.uk/my-employment/Recruitment/Disclosure-Barring-Service-(DBS)-Checks/Kirklees-Council-Disclosure-Barring-Statement-(004.aspx</p> <p>Duty to refer</p> <p>The following groups have a legal duty to refer outcomes or information to the Disclosure and Barring Service:</p> <ul style="list-style-type: none"> • Regulated Activity suppliers (employers and volunteer managers). • Personnel agency suppliers. • Bodies with a power to refer <p>Legal duty to refer: the two conditions that must be met; if you are a regulated activity provider or fall within the category of personnel supplier (contractor or agency), you must make a referral when both of the following conditions have been met:</p> <p><u>Condition 1</u> you withdraw permission for a person to engage in regulated activity with children and/or adults at risk. Or you move the person to another area of work that isn't regulated activity. This includes situations when you would have taken the above action, but the person was re-deployed, resigned, retired, or left. For example, a teacher resigns when an allegation of harm to a student is first made.</p> <p><u>Condition 2</u> You think the person has carried out 1 of the following:</p> <ul style="list-style-type: none"> • engaged in relevant conduct in relation to children and/or adults at risk. An action or inaction has harmed a child or vulnerable adult or put them at risk or harm or • satisfied the harm test in relation to children and / or adults at risk. e.g. there has been no relevant conduct but a risk of harm to a child or adults at risk still exists. Or • been cautioned or convicted of a relevant (automatic barring either with or without the right to make representations) offence <p>Where you are unsure always seek advice.</p>
15.	Implementation, Performance and Policy Review

	<p>The implementation of this policy will take place in a variety of ways, using traditional methods of communication (newsletters, briefing etc) but also through digital forums and thinking about innovative ways to help reach the more dispersed workforce. The information contained in this policy is overarching but the Corporate Safeguarding Oversight Group do recognise that different methods of sharing information and creating a level of understanding needs to be appropriate to that service area so this will be fully factored into the communication and training plans.</p> <p>The Corporate Safeguarding Oversight Group has a critical role in gaining assurances that safeguarding activity is being delivered effectively across the Council so will be developing mechanisms to assess quality and performance management processes. Whilst not exhaustive, this will include considering thematic learning and dissemination of learning from Domestic Homicide Reviews, Safeguarding Adults Reviews and Safeguarding Practice Reviews, as well as co-ordinating some audit activity (such as the Section 11 Audit for Children Services). As such, this policy will also be monitored and reviewed by the Corporate Safeguarding Oversight Group and governed by legislation and practical concern, with a 3-year review cycle. Should any changes need to be made within the 3-year review cycle, this policy will be updated as necessary and the changes will be communicated widely through a range of methods (such as the intranet, using newsletters and updates given at relevant boards and subgroups).</p> <p>It is recognised that the implementation of the policy and the various facets of training required to do this will be key to its success, so continual engagement and other audits with staff, elected members, commissioners and volunteers are expected to be factored in regularly so that the Corporate Safeguarding Oversight Group can monitor the effectiveness and any improvements that have happened as a result of the refreshed policy (such as staff confidence increasing around recognising abuse).</p>
16.	Policy Review date: March 2025

OVERVIEW AND SCRUTINY MANAGEMENT COMMITTEE – WORK PROGRAMME 2021/22

MEMBERS: Councillors; Elizabeth Smaje (Chair), Andrew Cooper, Andrew Marchington, Harpreet Uppal and Habiban Zaman

SUPPORT: Sheila Dykes, Principal Governance and Democratic Engagement Officer

FULL PANEL DISCUSSION		
THEME / ISSUE	APPROACH / AREAS OF FOCUS	OUTCOMES / ACTIONS
1. Leader's Priorities 2021/22	The Leader will attend to set out his portfolio priorities for 2021/22	<p><u>OSMC – 3rd August 2021</u> Councillor Pandor was thanked for attending the meeting to discuss his portfolio priorities and it was agreed that he be invited to a future meeting of the Committee to update Members on progress.</p> <p>3rd February 2022</p>
2. West Yorkshire Combined Authority	Links with the West Yorkshire Mayor and Combined Authority and relationship with Kirklees	<p>Informal meeting held with Chair of Scrutiny and WYCA Scrutiny Committee Members, October 2021 Next meeting scheduled for April 2022</p>
3. Inclusion	<p>Monitor work in relation to inclusion; including:</p> <ul style="list-style-type: none"> - Inclusion and Diversity Strategy - Inclusion Commission 	<p><u>OSMC – 15th June 2021</u> The Committee recommended that the following points be considered:</p> <ol style="list-style-type: none"> 1. Representation. 2. The importance of independent voices and the engagement of expert knowledge and experience. 3. The importance of hearing the voice and experience of children and young people. 4. Influence and control. <p>and requested a further update report later in 2021 to include:</p> <ol style="list-style-type: none"> 1. more detail in relation to the process for engagement; how this will work and encompass the whole of Kirklees. 2. the life course strand of work.

		Informal 25 th November 2021 (Cabinet 14/12/21)
4. Inclusive Communities Framework	<p>Early input to, and scrutiny of, the development of an Inclusive Communities Framework.</p> <p>The approach aims to build on the experiences of the pandemic and reflect the shift in thinking from cohesion to a broader inclusion agenda.</p>	<p>Informal February 2022</p> <p>OSMC – 15th June 2021 Further reports to be submitted as the work progresses.</p>
5. Our Council Plan	<p>Pre-decision scrutiny in respect of the development of the latest version of the Council Plan.</p> <p>(Plan last approved by Council 20th October 2020)</p>	<p>OSMC – 3rd August 2021 Officers were asked to take account of the points made by Members of the Committee in working on the refresh of ‘Our Council Plan’ and it was requested that further information in respect of how the citizen’s outcome will be measured be provided, once the work had been further developed. It was noted that the draft would be submitted to the Corporate Scrutiny Panel for consideration, prior to submission to Cabinet/Council for formal adoption. (<i>Informal Corporate Scrutiny Panel – 27/9/21; Cabinet – 12/10/21; Council – 13/10/21</i>)</p>
6. Climate Commission	<p>Monitor the development and establishment of the Climate Commission.</p> <p>The establishment of the Commission was agreed in November 2019, as one of a package of projects, further to the declaration of a climate emergency by the Council in January 2019.</p> <p>To include scrutiny of:</p> <ul style="list-style-type: none"> • The Council’s ‘road map’ to achieving district-wide ‘net zero’ carbon emissions target by 2038. • Annual internal emissions reporting. 	<p>OSMC - 28th September 2021 Chair to be updated re road map and AQAS report 2021; to facilitate further consideration as appropriate.</p> <p>OSMC - 3rd December 2020 The Committee recommended that the following points be considered and used to inform the development of the Climate Change Commission:</p> <ol style="list-style-type: none"> 1. The need for the Commission to be progressed as soon as possible. 2. The adoption of a wider global perspective of action on climate change. 3. The benefits of working with the Local Government Association.

		<ol style="list-style-type: none"> 4. Recognition of the need to consider carbon capture/offset. 5. The need for the Commission to be aware of, and take account of, the timescales associated with Council budget setting. 6. The need for consideration of how the recommendations made by the Commission will feed into Council decision making and how they will be monitored. 7. The importance of developing mechanisms to provide: effective feedback to the community/stakeholders on outcomes to ensure transparency and wider buy-in; and robust engagement particularly with young people and the voluntary sector. 8. The potential for the use of Passivhaus standards, particularly for Council owned sites/projects. 9. The potential for the development of a district heating system. <p>and requested the submission of further progress reports on a regular basis, to include the proposed approach to achieving the 2038 net zero target</p>
7. Peer Review	<p>Monitor implementation of the recommendations of the LGA Peer Challenge undertaken in July 2019.</p> <p>Action Plan approved by Council January 2020</p>	<p><u>21st December 2021</u></p> <ul style="list-style-type: none"> • It was agreed that future reporting against the 2019 Peer Challenge will be incorporated within the reporting against the 2021/23 Council Plan, with an annual progress report being brought to the Committee for information, and that different elements be taken forward, as appropriate, by relevant Panels with the Chair of Scrutiny maintaining an overview. • Officers were requested to take account of the comments made by the Committee in moving forward with the work to respond to the key recommendations raised by 2019 Peer Challenge.
8. Kirklees Communities Partnership Plan (Crime and Disorder)	<p>Annual scrutiny of the Kirklees Communities Partnership Plan in accordance with statutory requirement under Section 19 of the Police and Justice Act 2006.</p>	<p><u>9th November 2021</u></p>

Community Safety Partnerships have a duty to develop a strategic plan to address multi-agency issues affecting quality of life for residents including crime and anti-social behaviour.

Officers were asked to take account of all the points made by the Committee, in the development of the Communities Partnership Plan 2022-25, including:

- The importance of early intervention and prevention.
- The visibility of partnership working and early intervention and prevention at ward level.
- The need for improvements in the mechanisms to facilitate the involvement of Ward Councillors, to keep them informed and to engage them in respect of setting local priorities.
- Improvement in tension monitoring documents and involvement of and feedback to Ward Councillors in respect of incidents of serious violence.

In addition, it was requested that the results of the 'Your Views' survey be circulated to Elected Members and that the following further detail be provided to Committee Members:

- (i) Domestic abuse figures
- (ii) Underlying detail in respect of mortality related to alcohol and drugs

29th October 2020 (Minute 96)

The Committee put forward the following comments:

1. The level of co-operative working could be more clearly reflected in the Plan.
2. Delays in providing feedback on reported anti-social behaviour could be frustrating for residents; it was important that they were assured that their efforts in reporting were worthwhile.
3. The action plans which sat beneath the strategic plan, which set out specific targets, delivery mechanisms, timescales and outcomes should be referenced within the plan.
4. There was a need to improve the visibility of the work of the Partnership, the Communities Board and the underlying sub-groups and action plans.

		<u>3rd December 2020 (Min 100)</u> Update provided
9. Corporate Safeguarding Policy	Pre-decision scrutiny in respect of the refresh of the Corporate Safeguarding Policy. To include: <ul style="list-style-type: none"> • The work undertaken since inception of the policy (October 2019). • Proposals for the refresh. • Engagement with partners. • Legal requirements. • Governance arrangements/scrutiny. 	<u>3rd February 2022</u>
10. Local Flood Risk Management	Annual Review of the Council's Flood Risk Management Plan including: <ul style="list-style-type: none"> • Progress against the Action Plan. • Revision of local strategy to ensure consistency with National Strategy (August 2020) 	<u>Scheduled for 15th March 2022</u> <u>18th March 2021 (Minute 125)</u> Officers were asked to give consideration to: <ul style="list-style-type: none"> • The provision of an easily accessible supply of sandbags in particular localities, to reduce any delay in deployment to areas of need. • Improvements in preventative work. • Reviewing the Action Plan to assess if any improvements can be made to existing targets/timelines. • The development of an engagement strategy in relation to the review of the local flood risk strategy. • Ensuring that the local flood risk management strategy aligns with and links in with other Council strategy and planning documents. <u>15th April 2021 (Min 130)</u> Update provided in relation to gully clearing.
11. Heritage, Culture and Tourism Strategies	Pre-decision scrutiny in respect of the development of the Heritage, Culture and Tourism Strategies	<u>11th February 2021 (Minute 116)</u> The Committee requested that: <ul style="list-style-type: none"> • The draft documents for each strategy be submitted to the Committee for further consideration, in due course.

		<ul style="list-style-type: none"> • The Head of Culture and Tourism be asked to respond to, and engage with, the groups that made submissions to the Committee. • The points and suggestions raised by the Committee be given consideration and that they be used to inform the development of the Culture, Heritage and Tourism Strategies. <p><u>18th March 2021 (Min 120)</u> Update provided in respect of response to the groups who had made submissions.</p>
12. Ad Hoc Scrutiny Panel – Residential Housing Stock, Health and Safety Compliance	<p>Establishment of Ad Hoc Panel to consider the Council’s policies, procedures and arrangements for managing the health and safety of its tenants and its residential property portfolio, with a particular focus on high rise and multiple occupancy blocks.</p> <p>The Panel will produce a Final Report including its recommendations upon completion of its work.</p>	<p><u>18th March 2021 (Minute 127)</u> ToR and membership agreed <u>15th June 2021 (Minute 12)</u> Re-established for 2021/22</p>
13. Overview of Scrutiny Work Programmes	<p>Maintain an overview of the Work Programmes of the four Panels: Children’s / Corporate / Economy and Neighbourhoods & Health and Adult Social Care</p>	<p><u>3rd August 2021</u> Work programmes agreed.</p>
14. Armed Forces Covenant	<p>Monitor the Council’s work in relation to the Armed Forces Covenant including the potential impact of new legislation (anticipated to come into force in 2022)</p>	<p><u>21st December 2021</u> It was requested that:</p> <ul style="list-style-type: none"> • Further information be provided for the Committee in respect of the development of the concept of Armed Forces Champions within services. • The Cabinet Member be requested to consider resourcing, particularly in light of the upcoming changes to legislation, to support and build on the work already undertaken in respect of the Armed Forces Covenant.

15. Voluntary and Community Sector – Shared Values and Ways of Working	Input to the development of a shared values approach with the Voluntary and Community Sector	<u>9th November 2021</u> Officers were asked to take account of the points raised by the Committee, in the development of the Kirklees Voluntary, Community and Social Enterprise (VCSE) Investment Strategy, including: <ul style="list-style-type: none"> • Reach across communities. • Better understanding of communities and covering all demographics. • Communication and engagement with Ward Councillors. • Understanding about funding and how people can find out what available • Sustainability of the Strategy and actions.
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LEAD MEMBER BRIEFING ISSUES

THEME/ISSUE	APPROACH / AREAS OF FOCUS	LEAD OFFICER/NOTES
1. Social Inclusion/Loneliness	Develop scope for scrutiny work in relation to social isolation and loneliness, with specific reference to the impacts of the Covid-19 pandemic	Briefings: 26 th July + 4 th November 2021
2. Inclusion	Update on approach to inclusion	Briefing: 25 th October 2021
3. Democracy Commission	Update on work related to the Democracy Commission	Briefing: 7 th June 2021
4. Future Arrangements for the Council's Housing Stock	Monitor implementation of recommendations made by the Ad Hoc Scrutiny Panel in its Final Report (Cabinet 21 May 2020) <i>(Note: The separate Ad Hoc Panel in respect of health and safety compliance is to monitor progress in relation to the recommendation that an Assurance Board be established focussing on housing compliance.)</i>	Briefings: 10 th December 2020 + 5 th February 2021
5. Risk		Briefings held approximately every 6 to 8 weeks with the Council's Head of Risk
Performance Reporting		Briefing: 13 th September 2021
Place Based Working	Completion of Action Plan requested	OSMC 15 th April 2021

8. Planning Service		Briefings: 11 th August and 23 rd November 2021
9. Grant Funding Distribution to Anchor Organisations	Update on contract	Briefing: 12 th October 2021 Provisional – Work Programme for 2022-23 (September)
10. WYCA Scrutiny Function	Meeting with Kirklees Members of WYMCA Scrutiny Committees	14 th October 2021