

Kirklees Council - Councillor Safeguarding Protocol

The Council has a Corporate Safeguarding Protocol that sets out the framework for every service and employee in the council in carrying out the statutory safeguarding duties towards children, young people and adults.

This policy also defines the roles and responsibilities for all employees, managers, Councillors and volunteers, and provides support in their responsibility to promote safeguarding of children and adults throughout their work and to ensure that there is a high level of visibility and commitment across the borough and in all services to ensure the best possible service to vulnerable children, young people and adults.

Children and Young People

The Children Act 2004 places a statutory obligation on borough and district councils to ensure they have in place suitable arrangements to safeguard and promote the welfare of children (either directly or via their families who may access or use Council Services).

The definition of abuse and neglect in relation to children is set out in the Children Act, 1989 and also enshrined and discussed in Working Together to Safeguard Children (2023). These are not exhaustive lists, but an illustrative guide to the types of behaviour or issues that could give rise to safeguarding concerns. In relation to children. The four categories of abuse are:

1 - Emotional - the persistent emotional maltreatment of a child, such as to cause severe and persistent effects on the child's emotional development.

2 - Sexual forcing or enticing the child or young person to take part in sexual activities, whether the child is aware of what is happening or not.

3 - Neglect - 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.

4 - Physical - may involve hitting, shaking, throwing, poisoning, burning, or scalding, drowning, suffocating or otherwise causing physical harm to a child.

In March 2016 the Government accepted the recommendations of the Wood Report 2015 which summarised the findings of a national review of Local Safeguarding Children Boards (LSCBs). The recommendations in the report led to a change in legislation to the Children and Social Work Act 2017 and Working Together to Safeguard Children, removing the statutory requirement of local authorities to have a Local Safeguarding Children Board.

As a result, three key agencies now collectively hold new statutory responsibilities for safeguarding; namely the Local Authority, Health and the Police.

Working Together to Safeguard Children 2023 placed a duty on the three agencies to work together and define the local Multi-Agency Safeguarding Arrangements. It also placed a duty on other agencies to co-operate with the new arrangements.

The Kirklees Safeguarding Children Partnership (KSCP) is the body that replaces the Kirklees Safeguarding Children Board and works with all agencies to safeguard and promote the welfare of children and young people in Kirklees. The statutory safeguarding partners are Kirklees Metropolitan Council, West Yorkshire police and the NHS West Yorkshire Integrated Care Board.

The Lead Safeguarding Partner (LSP) for the three Statutory partners are the Chief Executive of Kirklees Council, the Chief Constable of West Yorkshire Police and the Chief Executive of the NHS West Yorkshire Integrated Care Board.

Each statutory partner has a Designated Safeguarding Partner (DSP) and those roles are set out in the arrangements linked below.

Link to multi agency safeguarding arrangements

<https://www.kirkleessafeguardingchildren.co.uk/wp-content/uploads/2025/12/MASA-2025-26-Final.pdf>

The partnership is an independent intermediary body and will meet at least four times a year and has a strategic focus leading subgroups who will be expected to report on a workplan for the year. **It has a helpful website here:** www.kirkleessafeguardingchildren.co.uk

How to report Concerns about a child – Worried about a child? - KSCP

Vulnerable Adults

What is adult safeguarding?

Adult safeguarding is a multi-agency procedure for protecting adults, aged 18 years or over, at risk from abuse or neglect, and in need of community care services due to:

- Mental health, disability, age, or illness,
- And being unable to take care of or protect themselves against harm or exploitation.

The Care Act 2014

The Care Act 2014 categorises the types of abuse relating to adults as follows:

1- Discriminatory when values, beliefs or Culture result in a misuse of power that denies mainstream opportunities to some groups or individuals.

2- Domestic abuse 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. Domestic abuse is not just about partners, but all family relationships.

3- Emotional/Psychological acts or behaviour which impinges on the emotional health of, or which causes distress or anguish to, individuals.

4 - Financial, unauthorised, fraudulent obtaining and improper Use of funds, property or any resources of an adult at risk.

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

6 - Neglect, ignoring or withholding physical or medical care needs which result in a situation or environment detrimental to individual(s).

7 - Organisational, where the culture of the organisation places the emphasis on the running of the establishment of the needs and care of the person.

8 - Physical, the non-accidental use of physical force that resolves (or could result) in bodily injury, pain or impairment, including assault, hitting, slapping, pushing, misuse of medication and restraint.

9 - Self neglect. This covers a wide range of behaviour, neglecting to care for one's personal hygiene, health or surroundings, and includes behaviour such as hoarding.

10 - Sexual direct or indirect involvement in sexual activity without consent.

How to report abuse or neglect

If you are a professional and are aware of abuse or neglect you can report a safeguarding concern online. Before you do this, you must:

- In an emergency, don't wait - call 999
- Ensure the immediate safety and welfare of the adult at risk and any other person at risk,
- If a crime has been committed, ensure the concern has been reported to the police on 101,
- Preserve any evidence,
- Gather an accurate record and details of the incident, and any actions or decisions that have been made or planned

Kirklees Safeguarding Adults Board (KSAB)

Kirklees Safeguarding Adults Board (KSAB) is an independent statutory partnership in its own right set up under the Care Act 2014 and is not a public authority.

The Board is hosted by Kirklees Council and is a multi-agency partnership. The KSAB works within the framework of the law and statutory guidance to strategically assure

itself that local safeguarding arrangements and partners act to help and protect adults at risk in Kirklees in line with the criteria set out in section 42.1 of the Care Act 2014, that is:

- has needs for care and support (whether or not the authority is meeting any of those needs);
- is experiencing, or is at risk of, abuse or neglect, and;
- as a result of those needs is unable to protect himself or herself against the abuse or neglect or the risk of it

The Safeguarding Adults Board is chaired by an Independent Chair and membership to the Board includes representation from the following agencies:

- Kirklees Council
- West Yorkshire Police
- West Yorkshire NHS Integrated Care Board: Working in partnership
- Locala Community Partnerships CIC
- South West Yorkshire Partnership Foundation Trust
- Calderdale and Huddersfield NHS Foundation Trust
- Mid Yorkshire Teaching NHS Trust
- NHS England
- Kirklees Council Housing & Homelessness
- West Yorkshire Fire & Rescue Service
- Healthwatch Kirklees

Kirklees Safeguarding Adults Board has three core duties, namely:

1 – To develop and publish a strategic plan setting out how they will meet their objectives and how their Councillor and partner agencies will contribute.

2 – To publish an annual report detailing how effective their work has been.

3 – To commission Safeguarding Adult Reviews (SARs) for any cases which meet the criteria for these. The Safeguarding Adults Board have their own website and a **helpful link can be found here** <https://www.kirklees.gov.uk/beta/adult-social-care-providers/kirklees-safeguarding-adults-board.aspx>. Councillors can access this to read reports, information, local protocols and agreements that may be helpful. Councillors should know that they should not become individually involved or seek information about individual safeguarding cases, whether they be children or adult focused. The appropriate referrals should be made through the gateway referral points.

General Safeguarding Information

The chief executive is responsible to ensure all Council staff are aware of their roles in safeguarding.

Through the two Statutory Officers, the Chief Executive ensures that effective safeguarding arrangements for children, young people and adults are in place, and the **director of Children's Services** is the key point of professional accountability with responsibility for the effective safeguarding of children and young people. **The Director of Adult Social Services** as Chief Officer and lead for Adult Safeguarding has an important leadership and challenge role to play in Adult Safeguarding. They are responsible for promoting prevention, early intervention and partnership working, which is critical in the development of effective safeguarding.

Councillors have an important part to play to ensure that the council is discharging its statutory responsibilities and its services to safeguard vulnerable children, young people and adults.

All Councillors receive training which includes how to identify and report safeguarding concerns within the appropriate levels of confidentiality.

On occasion Councillors may be approached by constituents seeking assistance in statutory safeguarding procedures relating to members of their families. It is not appropriate for Councillors to attend meetings between constituents and social workers or approach social workers about individual safeguarding matters. If a case relating to a child has progressed to statutory processes, there is a structured scheme for advice and support available to a family. This also applies in cases relating to vulnerable adults. It is inappropriate to attend at any court hearing relating to the Local Authority's safeguarding responsibilities, unless you are specifically asked to by the Court (ie as a witness). If you are asked to assist a constituent in this way, seek advice from the Monitoring Officer and in their absence the Deputy Monitoring Officer.

Councillors are reminded of the "Councillors and Officers in Kirklees – A protocol for Working Effectively" section of the Constitution. This sets out the nature and complexity of the relationships between Councillors and Officers and reminds Councillors and officers that protocols cannot be exhaustive. If any councillor or officer is unclear about a particular aspect of a protocol, they should contact the monitoring officer. The protocol applies whenever councillors and officers are undertaking the council's business whether that be in communications or public/ private meetings.

All Councillors should remind themselves at all times of GDPR and information processing and security. The Our Learning Portal has mandatory training which must be completed by all members of staff.

The lead Councillor for Children's Services is the only role for Councillors defined in legislation and is responsible for taking a strategic view in setting priorities and budgets, supporting the Director of Children's Services and championing the voice of children and young people in decision making across all Council services and partnerships. They also attend the scrutiny panel.

The Cabinet member for Adult Social Care and Health also has a key role to play in overseeing safeguarding activity, retaining the oversight of all commissioning activities and provision of Adult Social Care, public health functions and the interface with the NHS.

The Council has a Corporate Safeguarding policy to underpin its stance that Safeguarding is everybody's responsibility.

Kirklees Council: Cross Council Corporate Safeguarding Policy

Whistle-Blowing and Serious Misconduct Policy

The protocol will be reviewed in line with any changes in legislation, and the periodical reviews of safeguarding policy, protocols and guidance to ensure the Council meets requirements to Safeguard Children, Young People and Adults.

The Prevent Duty

The Counter Terrorism and Security Act 2015 places a duty on the council to have due regard to the need to prevent people from being drawn into terrorism. This statutory duty is about safeguarding and supporting children, young people or adults who may be vulnerable to becoming involved in terrorism or supporting terrorism.

Kirklees Council have implemented the Prevent Strategy and a **helpful link to the leaflet can be found here** <https://www.kirklees.gov.uk/beta/community-safety-partners/pdf/kirklees-prevent-strategy.pdf>.