

APPENDIX L

WAVERLEY BOROUGH COUNCIL

EXECUTIVE - 2 MARCH 2010

Title:

SAFEGUARDING CHILDREN

**[Portfolio Holder: Cllr Carole King]
[Wards Affected: All]**

Summary and purpose:

This report reminds members of the Council's role and responsibilities in relation to safeguarding children and its duties under the Children Act 2004. The recommendations invite the Executive to confirm the arrangements outlined in this report.

How this report relates to the Council's Corporate Priorities:

This report relates to two of the Council's Corporate Priorities namely: **Improving Lives** – Improving the quality of life for all, particularly the more vulnerable within our society.

Equality and Diversity Implications:

Children are more at risk than most from neglect, abuse and harm. It is important that public services take appropriate measures to safeguard children who are not in a position to protect or speak out for themselves.

Resource/Value for Money implications:

These are addressed at paragraph 26 of this report.

Legal Implications:

Waverley has a legal obligation under the Children Act 2004 to work with Surrey County Council as the lead authority to promote the safeguarding of children.

Background

1. In 2003, the Government published the Green Paper '*Every Child Matters*'. This was associated with its response to the Victoria Climbié Inquiry Report, which recommended the need for a change in way local authorities and other agencies are organised to deal adequately with children's services. The Green Paper proposed changes to maximise opportunities and minimise risks for all children and young people. The focus was around the needs of all children, young people and families to improve the outcomes and close the gap between the disadvantaged and those who are not.

2. 'Every Child Matters' identified five outcomes as central to the well-being of children and young people:
 1. physical and mental health and emotional well-being - "to be healthy")
 2. protection from harm and neglect - "to stay safe"
 3. education, training and recreation - "to enjoy and achieve"
 4. the contribution made by them to society - "to make a positive contribution"
 5. social and economic well-being – "to achieve economic well-being"
3. The Children Act 2004 created a clear accountability for children's services, to enable improved joint working between agencies and secure a greater focus on safeguarding children. The Act established a better basis for the integrated planning, commissioning and delivery of children's services and confers duties and district and borough councils. Some of the main requirements under the Act relevant to Waverley are detailed in Annexe 1.
4. These duties relate to children and young people from birth to age of 18, or 25 if the young person has a learning difficulty or other disability. Where 'children' are referred to in this report it includes any child or young person within this age range.

Why is this relevant to Waverley?

5. Although the prime responsibility for looking after children lies with Surrey County Council – as a Social Services and Education Authority – other public bodies come into contact with children and families. The Children Act makes clear that public authorities should work together to look after the needs of children. In particular, we all have responsibilities to ensure that children are protected from abuse, harm and/or neglect.
6. Waverley provides a range of services and has contact with children and families in a variety of ways and through the services it provides for example:
 - Leisure centres, play areas, sports grounds
 - Disabled Facilities Grants for families with disabled children
 - Museum of Farnham
 - Dealing with Homeless families
 - Visiting peoples homes – e.g. planning, environmental health, housing, building control staff
7. From time to time councillors, staff or contractors may come across situations where it may appear that a child is being abused, harmed or neglected. Whilst these may be rare occasions, it is important that people understand it is our duty to think carefully about what they have seen and, if they feel uncomfortable or worried about the situation, to know that Waverley as an organisation would expect and support the councillor, staff or contractor to report the matter onto Surrey County Council so that it can be properly assessed. It is important to develop a culture to support the safeguarding of children.

8. During the past year there have been a small number of referrals (4) to Social Services, which have been followed up and support provided to the families concerned.

What is Waverley doing to promote the 'Every Child Matters' agenda?

9. At an organisational level, a number of arrangements have been put in place to promote keeping children safe, develop awareness of the issues, and provide a structure to what we do.
10. As Portfolio-holder for Children, Young People and Community Safety, Cllr Mrs Carole King, is the designated lead councillor for safeguarding children.
11. The Chief Executive, Mary Orton, has taken the lead responsibility for safeguarding children and is the 'designated lead officer' for this area of work.
12. An officer working group has been established designated as the 'Waverley Children and Vulnerable Adults Safeguarding Board'. All Heads of Service and members of staff with a particular remit for working with children or providing services (directly or through contractors) are members of the Board, which meets bi-monthly.
13. In order to support the Chief Executive, the Head of Housing, John Swanton, has been asked to Chair and lead the Waverley Children and Vulnerable Adults Safeguarding Board.
14. Waverley has a robust approach to ensuring that staff (and applicants for posts) who have contact with children or access to sensitive records have enhanced Criminal Records Bureau (CRB) checks. All posts have been reviewed in detail against the CRB criteria in the last year, and are now revisited by Heads of Service on a quarterly basis.
15. In 2007, the Council adopted a Safeguarding Children Policy – copies this and the summary document are available in the Members Room. More recently (in January 2010), the Executive approved a Youth Strategy for Waverley, which aligns with the developing Surrey Children and Young People's Plan.
16. Relevant contractors are required, as part of their contract conditions, to have in place appropriate policies and procedures for safeguarding children. These are reviewed as part of the regular contract monitoring meetings.
17. There is an awareness raising programme for all staff including posters around the Council's buildings, and regular reminders through cascade briefings and other communication methods. Formal training is given to new staff at induction; and for those staff who have more contact with children, there is further training, as appropriate. Waverley also has access to the specialised Surrey Safeguarding Children's Board training programme.

18. Where the Council awards grants to organisations working with children and young people, it expects such organisations to have robust policies and procedures to cover child protection issues. Organisations that cannot evidence such policies and procedures will not be awarded grant-aid.

Independent Safeguarding Authority

19. From July 2010, new entrants to the workforce and those changing jobs can apply for Independent Safeguarding Authority (ISA) registration. It will be an offence for employers to employ people who are not registered with the ISA who are in regulated or controlled positions.
20. Regulated Positions include:
- teaching, training or instruction, care or supervision of children or vulnerable adults;
 - advice or guidance for children or vulnerable adults;
 - activity which involves on a regular basis the day-to-day management or supervision of a person carrying out the activities above is also regulated activity.
21. Controlled Activity; covers individuals working for specified organisations (eg local authorities) who have frequent access to sensitive records about children and vulnerable adults.
22. From November 2010 it will be mandatory for new staff to have ISA registration before they start new posts. From April 2011, the existing workforce will be phased into this scheme.

Working with Surrey County Council

23. Surrey County Council has the prime responsibility for safeguarding children and Waverley is an active partner in its arrangements for this area of work. Last year the County Council launched its new arrangements for co-ordinating services for children and established the Surrey Alliance for Children, Young People and Families. The structures are still bedding-down and developing.
24. The table below shows which councillors and officers from Waverley are members of the groups representing the Council, or other related interests.

Surrey Alliance for Children, Young People and Families - Assembly	Cllr Carole King, Portfolio-holder John Swanton, Head of Housing Kelvin Mills, Head of Leisure
Surrey Alliance for Children, Young People and Families - Strategic Forum . This is in effect Surrey's Children's Trust.	John Swanton, Head of Housing
South West Surrey (Guildford and Waverley) Children's Alliance – Area Executive	John Swanton, Head of Housing – representing WBC

South West Surrey Children's Alliance – Forum	John Swanton, Head of Housing Kelvin Mills, Head of Leisure Katie Webb, Community Development Officer (Youth)
Surrey Children's Safeguarding Board	Kelvin Mills, Head of Leisure

25. The Surrey Children and Young People's Plan is the framework document which sets out the main priorities for the Surrey area and its actions and outcomes are 'owned' by all the partners. A new Plan for 2010 and onwards is currently being developed. A copy of the existing Plan is available in the Members' Room.

Resource/Value for Money Implications

26. There are no resource implications directly arising from this report. However, resources are expended in relation to seeking CRB checks (c£36 per person) and in future registration with the ISA (£64 per person). Resources are also expended in relation to training, though some of this is paid for by partner organisations. Each Borough and District Council makes a contribution of £1,000 to the Surrey Safeguarding Children Board.

Conclusion

27. Keeping children and young people safe is everybody's responsibility. Whilst Surrey County Council has a lead role in this area of work – through education and social services, a much wider range of public organisations come into contact with children in different ways and at different times.
28. In the Waverley context, the Council needs to ensure that it has a culture which supports councillors, staff and contractors in reporting cases where it is believe that a child might be harmed, abused or neglected. This will be achieved through awareness raising, training and a supportive management approach. It is encouraging that situations which Waverley have been of concern have been referred to Social Services and support provided to the families involved.

Recommendations

It is recommended that the Council:

1. affirms its commitment to safeguarding children;
2. confirms that:
 - the Portfolio-holder for Children, Young People and Community Safety, Cllr Mrs Carole King, is the lead councillor for safeguarding children;
 - the Chief Executive, Mary Orton, is the Council's named lead officer for safeguarding children; and that the Head of Housing, John Swanton, acts as deputy in this area;

3. endorses the work being undertaken by the Council to help keep children safe, and will actively support colleagues, staff and contractors where they believe there is a need to make a referral to Social Services;
4. supports the work of the Surrey Children's, Young People and Families Alliance.

Background Papers

There are no background papers (as defined by Section 100D(5) of the Local Government Act 1972) relating to this report.

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ANNEXE 1

Relevant requirements of the Children Act 2004

Section 10

This Section of the Act, gives local children's services authorities (in Surrey this is the County Council) a lead role in securing the co-operation of partners in setting up arrangements to improve the well-being of children in the authority's area in relation to the five outcomes (see paragraph 2 in the main report above). The relevant partners as specified in the Act have a duty to co-operate with the children's services authority in the making of any such arrangements. These partners include the police, strategic health authorities and PCTs for the area and district and borough councils.

This duty also provides the basis for putting in place children's trust arrangements and paves the way for integrated planning and commissioning through local partnerships. The aim of developing children's trusts is to allow for local flexibility to meet local needs, priorities and organisational arrangements.

The statutory guidance under this section indicates that the functions of a district council that are relevant to children's trusts include planning, play and leisure, environmental health and housing.

Section 11

This Section requires all designated partner agencies to make arrangements to ensure that their functions are discharged in regard to the need to safeguard and promote the welfare of children and young people.

Section 13

This Section requires each Children's Safeguarding Authority (Surrey County Council) to establish a Local (ie county-wide) Children's Safeguarding Board (LCSB) by April 2006. This Board replaced the Area Child Protection Committee. The Board is responsible for co-ordinating the partner agencies and ensuring their effectiveness to safeguard and promote the welfare of children in its area.

Section 20

Thus Section introduces new integrated inspection arrangements. Joint Area Reviews (JAR), which will review all services provided by any body receiving public funding. These include voluntary, non-statutory services and borough and district councils.