

REPORT TO EXECUTIVE

Date of Meeting: 1 December 2020

REPORT TO COUNCIL

Date of Meeting: 15 December 2020

Report of: Director Transformation

Title: Review of Safeguarding Policy

Is this a Key Decision?

No

Is this an Executive or Council Function?

Council

1. What is the report about?

To seek approval for the adoption of the revised Safeguarding Policy.

2. Recommendations:

2.1 That Executive supports the revised Safeguarding Policy; and

2.2 That Council approves the revised Safeguarding Policy

3. Reasons for the recommendation:

The safeguarding policy has been updated to ensure it reflects best practice in safeguarding and the recent updates to Statutory Taxi and Private Hire Vehicle Standards.

4. What are the resource implications including non financial resources.

The report is an update on the policy. Resources are required to fund training and awareness raising programmes to ensure all staff understand their responsibilities and what to do to manage enquiries and referrals, and Disclosure and Barring Service checks for key staff. These have been found within existing budgets.

5. Section 151 Officer comments:

5.1 There are no additional financial implications for Council to consider contained within this report.

6. What are the legal aspects?

6.1 The Children Act 2004, specifically Section 11, places a duty on key people and public bodies, including district councils, to make arrangements to ensure that their functions are discharged with regard to the need to safeguard and promote the welfare of children.

6.2 The Care Act 2014 requires local authorities and relevant partners (including district councils) to co-operate with each other when exercising any respective functions which are relevant to care and support. This co-operation can be at a strategic level or related to individual cases.

6.3 There are a number of other pieces of legislation that cover all aspects of safeguarding under which the council has specific duties and these are listed in the policy document.

7. Monitoring Officer's comments:

This report raises no issues for the Monitoring Officer.

8. Report details:

8.1 The city council has had a safeguarding policy in place since 2006 which has been subject to review and minor amendments. It was last reviewed in 2018;

8.2 Apart from general updates to reflect the current best practice clauses have also been included to reflect changes to the Statutory Taxi and Private Hire Vehicle Standards places additional responsibilities on the licensing regime;

8.3 The policy is subject to ongoing annual review in order to respond to changes in legislation and best practice; and

8.4 Members are asked to endorse this document

9. How does the decision contribute to the Council's Corporate Plan?

In promoting safeguarding and protecting the wellbeing of children, young people and adults with care and support needs the safeguarding policy meets contributes directly to three strands of the Corporate Plan:

- Lead a well-run council;
- Building great neighbourhoods;
- Supporting active and healthy lifestyles

10. What risks are there and how can they be reduced?

10.1 Failure to meet the requirements of the legislation could lead to children and adults at risk coming to significant harm. This could result in legal challenge to the Council.

10.2 The Council's Corporate Safeguarding Group provides governance to the policy and resulting actions.

10.3 The council safeguarding officers work closely with both Devon Safeguarding Adults Partnership, Devon Children and Families Partnership, Safer Devon Partnership and other district councils. This ensures best practice and that the council is kept up to date with any issues.

11. Equality Act 2010 (The Act)

11.1 Under the Act's Public Sector Equalities Duty, decision makers are required to consider the need to:

- eliminate discrimination, harassment, victimisation and any other prohibited conduct;
- advance equality by encouraging participation, removing disadvantage, taking account of disabilities and meeting people's needs; and
- foster good relations between people by tackling prejudice and promoting understanding.

11.2 In order to comply with the general duty authorities must assess the impact on equality of decisions, policies and practices. These duties do not prevent the authority from reducing services where necessary, but they offer a way of developing proposals that consider the impacts on all members of the community.

11.3 In making decisions the authority must take into account the potential impact of that decision in relation to age, disability, race/ethnicity (includes Gypsies and Travellers), sex and gender, gender identity, religion and belief, sexual orientation, pregnant women and new and breastfeeding mothers, marriage and civil partnership status in coming to a decision.

11.4 In recommending this proposal potential impact has been identified on people with protected characteristics as determined by the Act and an Equalities Impact Assessment has been included in the background papers for Member's attention.

12. Carbon Footprint (Environmental) Implications:

No direct carbon/environmental impacts arising from the recommendations.

13. Are there any other options?

None

Director Transformation, Jo Yelland

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Local Government (Access to Information) Act 1972 (as amended)

Background papers used in compiling this report:-

- The Care Act 2014
- The Children Act 2004
- The Counter Terrorism Act 2015
- The Modern Slavery Act 2015.
- The Anti-Social Behaviour, Crime and Policing Act 2014
- The Serious Crime Act 2015
- The Statutory Taxi and Private Hire Vehicle Standards

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