



**OPEN REPORT  
GOVERNANCE AND RESOURCES COMMITTEE**

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**Governance and Resources Committee – 21 March 2024**

**REVIEW OF DERBYSHIRE DALES SAFEGUARDING POLICY**

**Report of Director of Community & Environmental Services**

**Report Author and Contact Details**

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**Wards Affected**

All

**Report Summary**

This report provides an overview for the proposed implementation of a revised Safeguarding Policy and seeks approval and adoption of the revised policy.

**Recommendations**

1. That the Governance and Resources Committee adopts the revised Safeguarding Policy 2024-27 as outlined in Appendix 1.
2. That authority be delegated to the Director of Community & Environmental Services and the cross departmental Corporate Safeguarding Leads to review and make minor amendments to the Safeguarding Policy to reflect changes in legislation or statutory guidance when introduced.

**List of Appendices**

Appendix 1 Draft Safeguarding Policy.

Appendix 2 Flowcharts for Children

Appendix 3 Flowcharts for Adults

**Background Papers**

None

**Consideration of report by Council or other committee**

Employee Group

Joint Consultative Committee

## **Council Approval Required**

No

## **Exempt from Press or Public**

No

## **Review of the Safeguarding Policy**

### **1. Background**

- 1.1 The Council has a legal responsibility and a duty of care under S11 of the Children's Act 1989 and the Care Act 2014 to protect children and adults at risk from harm and abuse. The council already has an existing Safeguarding Policy which details what safeguarding is; identifies the types of harm and abuse' makes it explicit that safeguarding is everyone's responsibility; details the council's response and the procedures that must be followed when reports of safeguarding issues are received.
- 1.2 There is a requirement that the Council must work in `partnership with our upper tier authority, in this case, Derbyshire County Council who is the authority who is responsible for `adult and children's care services.
- 1.3 New county-wide community safety structures have been developed, creating nine Thematic Boards covering a range of crime/community safety workstreams. Both Safeguarding Adults and Safeguarding Children have their own Thematic Boards. There is a desire that safeguarding approaches are consistent throughout Derbyshire therefore this updated version of our Safeguarding Policy mirrors the one approved by both Boards.

### **2. Key Issues**

- 2.1 Our existing Safeguarding Policy came into effect in September 2019 and was due to be reviewed in September 2022. As a result of the development of the new county wide community safety structures and the Safeguarding Thematic Boards this review has been delayed.
- 2.2 Derbyshire Dales was a member of the original county-wide safeguarding group pre the Thematic Boards therefore our existing policy does not need much updating. The main changes are legislation updates; the layout of the document with a clearer definitions section at the beginning; separate sections for adults and children and a simple five step process of Recognise, Respond, Report, Refer & Record. There is a notable change in terminology where 'Vulnerable Adults' now becomes 'Adults at Risk'.

### **3. Options Considered and Recommended Proposal**

- 3.1 Do nothing – the Committee could choose to retain the current policy provisions and not to approve the revised Safeguarding Policy. However, it is recommended that this option is not pursued to ensure that the Council has an up-to-date policy in place that is clear and easily understood and links with county wide procedures.

- 3.2 It is recommended that the revised Safeguarding Policy 2024-2027 is approved and adopted to ensure that the Council's policy remains fit for purpose and compliant with the law and best practice.

#### **4. Consultation**

- 4.1 The Employees Group and Joint Consultative Committee have been consulted on the provisions of the policy and the policy has been circulated to all staff for comment. The Corporate Policy Officer made some changes to the equalities information and this has been included in the Policy where appropriate.
- 4.2 The policy has also been approved by both the Adult and Children's Safeguarding Boards at county level.

#### **5 Timetable for Implementation**

- 5.1 The proposed policy will commence following approval by the Governances and Resources Committee on 21<sup>st</sup> March 2024. In the event of such approval, the Policy will be 'launched' via our internal communications processes to ensure it is accessible to all our employees.
- 5.2 Training on safeguarding issues is mandatory for all staff. Our LOLA online training modules will be revised and launched simultaneously with the policy.

#### **6. Policy Implications**

- 6.1 Derbyshire County Council has the lead responsibility for adult and children's care services; however, everyone has a duty to protect children and adults at risk from harm and abuse. The council has a legal duty to work with Derbyshire County Council on safeguarding issues. This revised policy has been approved by the county wide safeguarding boards, chaired by senior County Council officers so that all tier two authorities (if they wish can adopt this process to give consistency to our response across Derbyshire).

#### **7 Financial and Resource Implications**

- 7.1 There are no specific financial or resource implications arising from the recommendations of this report. Lead officers identified to tackle safeguarding have safeguarding responsibilities outlined as part of their job descriptions.

#### **8. Legal Advice and Implications**

- 8.1 The policy provides guidance and procedure for the Council to follow in discharging its safeguarding responsibilities. While Derbyshire County Council is the lead responsible authority for care services, section 11 of the Children Act 2004, section 6 of the Care Act 2014 and other legislation place a duty on the District Council to co-operate with the County Council in the discharge of its responsibilities. Furthermore, the District Council has various statutory and

common law duties to promote and safeguard the welfare of individuals and sections of the public which are considered by the policy. The adoption and implementation of the proposed policy will assist in ensuring the District Council meets its responsibilities and is able to demonstrate that it has done so.

8.2 The legal risk associated with adoption of the proposed policy is assessed as low.

## **9. Equalities Implications**

9.1 The Council has to give due regard to its Equalities Duties, in particular with respect to general duties arising pursuant to the Equality Act 2010, section 149.

9.2 Safeguarding has obvious links with the Equalities Act 2010 with the objective of protecting children and adults at risk from harm or abuse. Having due regards to the need to remove or minimise disadvantages suffered by persons who share a relevant characteristic that are connected to that characteristic. The protected characteristics are Age; Disability; Gender Reassignment; Pregnancy and maternity; Race; or Religion or belief; Sex and Sexual Orientation.

9.3 The Safeguarding Policy supports the Equality Act 2010 and the Human Rights Act 1998.

## **10. Climate Change Implications**

10.1 There are no climate change implications associated with the recommendations in this report.

## **11. Risk Management**

11.1 A failure to abide by the procedures within this policy may expose the council to risk by having inadequate arrangements which could lead to significant risk of harm to individuals both as employees and members of the public using our services.

### **Report Authorisation**

Approvals obtained from Statutory Officers:-

	<b>Named Officer</b>	<b>Date</b>
Chief Executive	Paul Wilson	11/03/2024
Director of Resources/ S.151 Officer (or Financial Services Manager)	Karen Henriksen	09/03/2024
Monitoring Officer (or Legal Services Manager)	Helen Mitchell	12/3/2024