

# CARNFORTH TOWN COUNCIL



## Safeguarding Children and Vulnerable Adults Policy

### 1 Policy Statement

- 1.1 This policy is made in accordance with Carnforth Town Council's vision and mission, for every child to grow up safe, secure and supported and to build a better childhood for all.
- 1.2 The Council works directly with children and young adults on a range of its projects and programmes and has a responsibility to promote the wellbeing and safety of all people it comes into contact with.
- 1.3 The Council believes that it is always unacceptable for a person to experience abuse or neglect of any kind.
- 1.4 The Council is committed to practice that protects children and vulnerable adults from harm and recognises its duty to ensure that appropriate action is taken where a child or vulnerable adult is experiencing harm or is at risk of harm.

### 2 Purpose

- 2.1 The purpose of this policy is to:
  - a) Safeguard and promote the wellbeing of the children and vulnerable adults with whom the Council works;
  - b) Ensure that all employees and others covered by this policy understand the context within which checking with the Disclosure and Barring Service takes place;
  - c) Provide all employees and councillors with guidance on how they should behave if they suspect that a child or vulnerable adult may be experiencing, or be at risk from abuse or harm;
  - d) Guide employees and councillors on how to respond to, and report, concerns;
  - e) Ensure compatibility with other Carnforth Town Council policies.

### **3 Who is affected by the policy?**

- 3.1** This policy applies to all paid employees, seconded staff, volunteers, mentors, students, agency workers, councillors, contractors, and unpaid staff working on behalf of the Council in any capacity and in any setting.
- 3.2** Councillors, young people on work experience and any children or young adults involved in the work of the Council or engaging in its activities will be made aware of the Council's safeguarding policies and procedures.
- 3.3** Those with specific communication needs because of language or disability will have access to information in appropriate forms to ensure understanding.
- 3.4** This policy relates to all children from unborn up to eighteen years of age and includes children with whom the Council has direct or indirect contact with, for example children known to adults with whom the Council works directly.
- 3.5** This policy also relates to vulnerable adults who need to be safeguarded from harm.
- 3.6** In project proposals and tenders, the Council's safeguarding policies will be mentioned and attached where appropriate.
- 3.7** Project information leaflets for children and vulnerable, parent/carers and local agencies will be given a statement on safeguarding with contact details as appropriate.

### **4 Definitions**

- 4.1** As per the definitions set out in the *Children Act 1989*, a 'child' is anyone who has not yet reached their eighteenth birthday. It also includes unborn children.
- 4.2** Adults aged eighteen and over have the potential to be vulnerable (either temporarily or permanently) for a variety of reasons and in different situations.
- 4.3** An adult may be vulnerable if he/ she:
  - a) Has a learning or physical disability;
  - b) Has a physical or mental illness, chronic or otherwise, including an addiction to alcohol or drugs;
  - c) Has a reduction in physical or mental capacity;
  - d) Is in the receipt of any form of healthcare;
  - e) Is detained in custody;

- f) Is receiving community services because of age, health or disability;
- g) Is living in sheltered or residential care home;
- h) Is unable, for any other reason, to protect himself/herself against significant harm or exploitation.

## **5 Legal Framework**

- 5.1** Everyone has a right to be safeguarded from abuse or neglect. There is a legislative framework in place in place to safeguard children and vulnerable adults through *The Children Act 1989 (as amended by section 53 of the Children Act 2004)* and the *Safeguarding Vulnerable Groups Act 2006*.
- 5.2** Further guidance that sets out the requirements and expectations on professionals to work together to effectively safeguard children include *Working Together to Safeguard Children (2015)*, *Safeguarding Disabled Children: Practice Guidance (2009)* and *What to do if you're worried a child is being abused (2015) (Department for Education 2015)*.
- 5.3** The Council does not have a statutory duty to comply with the key arrangements listed in *Working Together*, however it will have in place arrangements that reflect the importance of safeguarding and promoting the welfare of children, as well as vulnerable adults.

## **6 General Principles**

- 6.1** Safeguarding relates to the action taken to promote the welfare of children and vulnerable adults and to protect them from harm. All staff and councillors should have a basic awareness of safeguarding issues.

This includes:

- a) Being alert to the possibility of abuse and neglect;
- b) Having enough knowledge to recognise an abusive or potentially abusive event or set of circumstances;
- c) Knowing who in the organisation to raise concerns with, and;
- d) Being competent to take the appropriate immediate or emergency action.

- 6.2** If any member of staff has any concerns about a child or vulnerable adult they must immediately alert the Clerk & Proper Officer, who is the Designated Safeguarding Officer (DSO).
- 6.3** If the DSO agrees there is grounds for concern, they must take appropriate action to safeguard the child or vulnerable adult. This may include contacting the local authority social care service or the local police child abuse investigation team.
- 6.4** If a child or vulnerable adult is in immediate danger the member of staff who first becomes aware of the danger should dial 999 for the police.
- 6.5** The above may include concerns about a member of staff, a suspicion that a child or vulnerable adult is being abused or neglected, or a suspicion that an activity is taking place that could place a person at risk.
- 6.6** If the concern relates to a member of staff or Councillor the DSO must contact the local authority designated officer (LADO) responsible for providing advice and liaison in such cases.
- 6.7** Additionally some local authorities will have new multi-agency safeguarding arrangements.
- 6.8** In any situation where there is a suspicion of abuse, the welfare needs of the child or vulnerable adult must come first even where there may be a conflict of interest (e.g. where the suspected perpetrator may be a member of staff or a Councillor).

## **7 What constitutes abuse?**

- 7.1** Abuse is a deliberate act of ill-treatment that can harm or is likely to harm a person's safety, wellbeing and development. Abuse can be physical, sexual or emotional. Abuse may not, however, fall easily into these categories and staff/associates are not expected to be experts in the field.
- 7.2** Neglect also constitutes abuse but can be defined as failing to provide or secure a child or vulnerable adult with the basic needs required for physical safety and wellbeing.

**7.3** The Council recognises that a person's welfare is paramount and that all children and vulnerable adults - regardless of age, disability, gender, racial heritage, religious belief and sexual orientation or identity - have the right to protection from all types of harm and abuse.

### **Categories of Abuse**

**7.4** Children and vulnerable adults can experience abuse in a number of ways. Forms of abuse that may affect children and vulnerable adults include:

- Abuse of trust
- Child sexual exploitation
- Child Trafficking
- Discriminatory abuse
- Domestic violence or abuse
- Emotional Abuse
- Financial or material abuse
- Grooming
- Harmful sexual behaviour
- Modern slavery
- Neglect
- Online abuse
- Organisational or institutional abuse
- Physical Abuse
- Psychological or emotional abuse
- Radicalisation of children or vulnerable adults
- Self-neglect
- Sexual Abuse

**7.5** These categories can overlap and an abused child or adult often suffers more than one type of abuse.

- 7.6** Disabled children and young people are particularly vulnerable to abuse in any form. Safeguards for disabled children are essentially the same as for non-disabled children.
- 7.7** Staff and councillors must maintain high standards of practice, remain vigilant to the possibility of a child being abused and minimise situations of risk.
- 7.8** All staff and councillors must ensure that the children they work with know how to raise concerns, and have access to interpreters/specialist workers and other aids to communication if required.
- 7.9** Where there are concerns about the welfare of a disabled child, they should be acted upon in accordance with the procedures set out in this policy.
- 7.10** Where concerns are raised about a child who has communication difficulties, appropriate support, interpreting services and communication aids must be secured.

## **8 Procedures for safeguarding children and vulnerable adults**

### **Duties and responsibilities**

- 8.1** The Council has the following general duties and responsibilities when dealing with children and/or vulnerable adults:
- a) Raising awareness of the need to protect children and vulnerable adults and reduce risks to them;
  - b) Ensuring that staff in contact with children and vulnerable adults have the requisite knowledge, skill and qualifications to carry out their jobs safely and effectively;
  - c) Ensuring safe practice when working in partnership with other organisations - in particular that they have in place adequate safeguarding arrangements, including appropriate policies and mechanisms to provide assurance on compliance;
  - d) Maintaining an organisation that is safe for all staff, children and vulnerable adults and an environment where poor practice is challenged;
  - e) Ensuring that all staff, associates, volunteers, Councillors and young people who will be working with children and vulnerable adults consent to vetting through the Disclosure and Barring Scheme where applicable;

- f) Ensuring that when abuse is suspected or disclosed, it is clear what action must be taken;
- g) Ensuring that the Clerk & Proper Officer as the Designated Safeguarding Officer and Councillors are accountable for the effective implementation of this policy, and;
- h) Ensuring that all staff and councillors receive a copies of safeguarding policies, are trained in their meaning and application and understand their responsibilities.

### **Responsibilities of the Designated Safeguarding Officer**

**8.2** The Designated Safeguarding Officer (DSO) is responsible for ensuring that safeguarding is given high priority within the Council. Specific responsibilities include:

- a) Providing support and advice to Councillors and all staff on safeguarding matters related to children and vulnerable adults;
- b) Ensuring that all Councillors and staff receive training on child protection and safeguarding as part of their induction, and on an ongoing basis where required;
- c) Managing referrals/cases reported and working to ensure resolutions;
- d) Carrying out referrals to the relevant local authority social care team where abuse of a child or vulnerable adult is reported or suspected;
- e) Referring the matter to the local authority designated officer (LADO) where a member of staff or Councillor is suspected of abuse, and;
- f) Maintaining an overview of safeguarding issues and monitoring the implementation of this policy.

**8.3** The DSO has responsibility for deciding whether to refer any reported matters onto the police or to the local authority social care service. Where possible, referrals should be made on the same working day and certainly within 24 hours. It is the responsibility of the DSO to decide whether the parents/carers (if applicable) of the child or young person should be informed of the referral.

### **Action to safeguard:**

- 8.4** Staff and Councillors have no powers to investigate abuse. Nonetheless all staff and Councillors have a duty to safeguard and promote the welfare of children and/or vulnerable adults and a responsibility to work closely and co-operatively with other agencies in order to achieve this.
- 8.5** Staff and councillors may have a role as referrers, witnesses or supporters in safeguarding processes.
- 8.6** If a Councillor or employee suspects that a child or vulnerable adult is being harmed by experiencing, or already has experienced, abuse or neglect and/or is likely to suffer harm in the future, they must talk to the Designated Safeguarding Officer. The DSO will agree next steps including making any necessary referrals.
- 8.7** If anyone other than the DSO makes a referral, they should inform the DSO as soon as possible.
- 8.8** It is not the responsibility of the Council to decide whether or not abuse has taken place but it is the responsibility of staff and Councillors to act if there is cause for concern, in order that the appropriate agencies can investigate and take any action necessary to protect the young and/or vulnerable adult.
- 8.9** If a member or staff is concerned that a child is in immediate danger, or requires immediate medical treatment, they should call the police and/or emergency medical services on 999 straight away.

## **9 Staff / Councillor behavior**

### **Conduct**

- 9.1** Council staff and Councillors working with children and/or vulnerable adults may be required to undergo awareness training.
- 9.2** Councillors and staff should not:
  - a) meet with the a child or vulnerable adult on their own;
  - b) ask overly personal questions, including those about age or appearance (unless specifically related to a work project, in which case it must be documented);
  - c) send/give out material that could be considered offensive, which includes material on social media sites;



- d) suggest or imply a personal relationship could develop;
- e) take an aggressive or bullying tone;
- f) have physical contact;
- g) offer or accept personal gifts;
- h) travel alone with a young and/or vulnerable person

### **Website / Online Safety**

- 9.3** Any project that provides service users with direct access to the Internet must have protocols in place to ensure safe use.
- 9.4** The Internet is a significant tool in the distribution of indecent photographs and some adults use the Internet to try to establish contact with young and/or vulnerable people to “groom” them for inappropriate or abusive relationships. The Council would consider staff and Councillor involvement in such activities as gross misconduct, which could ultimately lead to dismissal or referral for police investigation.

### **Presence on Websites / Social Media**

- 9.5** Staff and Councillors should take care when communicating with others online, particularly when identifying themselves as Carnforth Town Council staff or Councillors and when in contact with children and vulnerable adults.

### **Inappropriate Text / Images**

- 9.6** Many websites contain offensive, obscene or indecent material such as:

- Sexually explicit images and related material;
- Advocating of illegal activities, and;
- Advocating intolerance of others.

Staff and members authorised to use the Internet must not download pornographic or other unsuitable material onto Council machines, or distribute such material to others. The Council would consider this gross misconduct which could ultimately lead to dismissal or referral for police investigation.

- 9.7** Staff and Councillors must not place any material on to the Internet that would be considered inappropriate, offensive or disrespectful of others. Action will be taken against staff or Councillors that breach this policy.
- 9.8** Where this is done inadvertently, the member of staff or Councillor must escape from the website and/or delete the material immediately. They should also report the incident to the DSO. Breach of this will be treated as gross misconduct.
- 9.9** Where exemption is required, because of the nature of the work of the member of staff, permission must be sought in advance from the DSO. Children and vulnerable adults should not be given access to such websites.

### **Obtaining Indecent Images**

- 9.10** If a child or vulnerable adult reports to a member or staff that they have sent, or been sent, indecent images (sometimes referred to as 'sexting'), they should discuss the concern with the DSO.
- 9.11** The police and children's social care should always be contacted if:
- there are concerns about the ability to give consent;
  - the images are extreme or show violence;
  - the incident is intended to cause physical or emotional harm;
  - there is reason to believe that the young person has been blackmailed, coerced or groomed.
- 9.12** Details of the incident and the actions taken must be recorded in writing. Staff and Councillors should avoid looking at the image, video or message in question. If it is on a device belonging to the Council, it may need to be isolated so that nobody else can see it. This may involve blocking the network to all users.

## **10 Confidentiality and sharing information**

### **Confidentiality and Impact**

- 10.1** In any work with children and/or vulnerable adults it is important to be clear about confidentiality.
- 10.2** Confidentiality and safeguarding should be discussed with children and/or vulnerable adults at the beginning of any piece of work and reminders and information given from time to time, to ensure that they understand the processes and what responsibilities members of staff have. It is absolutely essential to be clear about the limits of confidentiality well before any such matter arises.
- 10.3** While personal information held by professionals and agencies is subject to a legal duty of confidence and should not normally be disclosed without the subject's consent, it is essential that staff and Councillors respond quickly where they have concerns or suspicions of abuse.
- 10.4** Any concerns about confidentiality should not override the rights of children and/or vulnerable adults at risk of, or suffering from, harm.
- 10.5** The Council's responsibility for protecting children and vulnerable adults means that, where necessary to protect welfare, it will breach confidentiality to raise concerns.
- 10.6** Information sharing must be done in a way that is compliant with *the General Data Protection Regulation and Data Protection Act 2018*, the *Human Rights Act 1998* and the common law duty of confidentiality. However, a concern for confidentiality must never be used as a justification for withholding information when it would be in the child or vulnerable adult's best interests to share information.

### **Do not promise to keep Secrets**

- 10.7** Should it become necessary to pass on information shared by another party this decision should always be discussed with the person in question and where possible their cooperation sought beforehand. Explanations of the reasons; processes; likely sequence of events; and who to contact for information or for support should also be provided.

**10.8** When a child or vulnerable adult makes an allegation of abuse they may:

- a) hope that the abuse will stop without further enquiries;
- b) fear the effect this will have on their family, and/or;
- c) may fear retribution from the abuser.

In these circumstances, they should be helped to understand why the referral (to the DSO) must be made and what is likely to happen as a result.

**10.9** It is important to reassure the child or vulnerable adult but he/she must not be told that their allegation will be treated in a particular way or that the information will be kept a secret.

### **Confidential Record-Keeping**

**10.10** A record should be kept of any decision and the reasons for it – whether it is to share information or not. If a decision is made to share, what has been shared, with whom and for what purpose should be recorded.

**10.11** Even if a concern has been discussed with the DSO, it is important that all concerns are properly recorded in writing whether or not further action is taken.

**10.12** It is important that concerns raised are recorded accurately and in detail.

**10.13** All discussions should end with clear and explicit recorded agreement about who will be taking what action. Where no further action is the outcome the reason for this should be clearly recorded.

**10.14** Staff and Councillors should not pursue the questioning of the child or vulnerable adult for information if it is not given freely.

**10.15** There should be no delay in reporting the matter by waiting for all the information.

**10.16** It is important not to write speculative comments but to stick to the facts.

**10.17** Opinions may be crucial but it should be recorded as an opinion and any evidence stated to support these opinions.

**10.18** Records pertaining to issues of child protection may be accessible to third parties such as Children's Services, Police, the Courts and Solicitors.

**10.19** Records must be kept securely in a locked place or file to which access is restricted. There is a responsibility in maintaining the confidentiality of these records and all must ensure that the records, or any information they contain, are made available only to relevant parties.

**10.20** The transfer of information - verbally, through the mail, electronically, etc. - should be done in such a way that confidentiality is maintained.

## **11 On and off-site activities**

**11.1** A risk assessment should be carried out at least forty-eight hours before any activity involving a child and/or vulnerable adult takes place.

**11.2** Safeguarding and Conduct procedures apply whether the activity is on or off-site.

## **12 Safe Recruitment**

### **Recruiting Staff**

**12.1** The *Protection of Freedoms Act 2012* under the *Safeguarding Vulnerable Groups Act 2006* sets out that it is an offence for an employer to knowingly employ someone in a regulated position if they are barred from doing so.

**12.2** Where there is regular contact but not 'regulated' i.e. supervised it is still possible to consider an enhanced criminal records check but this will not include a check of the barred list through the Disclosures and Barring Service (DBS).

**12.3** Some roles within Carnforth Town Council, whilst not 'regulated positions', may involve working directly with children and/or vulnerable adults. Activities could include (but are not limited to): convening meetings; holding focus groups; and undertaking activities with children and/or vulnerable adults. Where this is the case, the relevant member of staff or Councillor will be required to have a DBS check carried out prior to commencing any direct work with children and/or vulnerable adults.

**12.4** Where a criminal conviction is disclosed by an applicant or through a DBS check/basic disclosure, and the assessment indicates that the level of risk is too high to allow the individual to start/continue working in a particular role/activity, the consequences of this for the individual will dependent upon:

- The check concerned;

- The reason for the check (that is, check for a new employee, a recheck for an existing employee in their current post or a check for an existing employee in a new post);
- Relevant legislation;
- The post concerned;
- Whether the individual is suitable for other employment opportunities available within the organisation.

**12.5** Possible outcomes include amended duties, redeployment, withdrawal of an offer of employment or, where the individual started work before the relevant screening check was completed, dismissal.

**12.6** Safe recruitment practice of checking work history, identity and explanations for any gaps must be followed for all staff working at Carnforth Town Council and partner organisations even if direct contact with children and/or vulnerable adults is not part of their role.

### **Supporting Staff**

**12.7** It is the responsibility of the Council to ensure that staff are aware of and understand the procedures and have levels of knowledge and skills commensurate to the level and nature of their direct involvement with children and/or adults.

**12.8** All individuals should:

- be supervised and supported in their work;
- adhere to the Council's safeguarding procedures which are reviewed and updated as necessary;
- receive training in safeguarding at a level appropriate to their work situation;
- be able to raise concerns about poor and dangerous practice;
- have access to personal safety procedures;
- have training and support as required to effectively discharge their responsibilities.

### **Allegations Against Staff / Councillors**

**12.9** Any suspicion, allegation or actual abuse of a child or vulnerable adult must be reported to the DSO immediately.

- 12.10** Concerns about staff must be treated with the same rigour as other concerns. If there are concerns that abuse has taken place the DSO will pass this information to the Local Authority Designated Officer for investigation.
- 12.11** There may be instances when a staff member's performance or conduct when working with children and/or vulnerable adults will lead to the Council's disciplinary procedures being invoked. The Disciplinary Policy is available on the website.
- 12.12** The nature of the concern about the staff member's conduct and or performance will determine how and what disciplinary action is taken.
- 12.13** Allegations against members may be reported to the Monitoring Officer.
- 12.14** On occasion, a child or vulnerable adult may abuse another child or vulnerable adult. Safeguarding procedures should be followed in respect of all parties in those situations.

### **13 Complying with this policy**

#### **Expectations of Staff and Councillors**

- 13.1** It is important that staff and Councillors work to a high standard of professional conduct and act with integrity at all times, in order to minimise the risk of abuse from within Carnforth Town Council.
- 13.2** It is important to create a work environment where the risk of abuse is minimised and children and vulnerable adults feel comfortable and safe. When incidents of abuse are raised or suspected it is important that staff and Councillors have the necessary information and support and follow the procedures appropriately.
- 13.3** Staff and Councillors should make sure they have read the Council's safeguarding procedures in full. They should highlight and discuss any issues requiring clarification and any training issues.
- 13.4** Staff should make sure that they have a working knowledge of the different forms of abuse and possible indicators.

**13.5** All staff and Councillors should ensure that, when working with children and/or vulnerable adults, all colleagues, volunteers and other staff from partnering organisations have the appropriate employee checks in place which must include a full career history, identity checks and references and adherence to Disclosure & Barring Service (DBS) where applicable.

Bob Bailey, Clerk & Proper Officer  
August 2021