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**Subject:** DOVER DISTRICT COUNCIL'S SAFEGUARDING VULNERABLE CHILDREN AND ADULTS POLICY AND PROCEDURES

**Meeting and Date:** Cabinet – 5 October 2020

**Report of:** Brinley Hill, Head of Community and Digital Services

**Portfolio Holder:** Councillor Nigel Collor, Portfolio Holder for Transport, Licensing and Community

**Decision Type:** Key

**Classification:** Unrestricted

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**Purpose of the report:** To review, update and ensure that the Council's Safeguarding Policy and Procedures are up-to-date and reflect all changes in legislation and working practices.

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**Recommendation:** That Cabinet approves the updated Safeguarding Policy with an agreed review programmed for every three years.

That Cabinet authorises the Head of Community and Digital Services, in consultation with the Portfolio Holder for Transport, Licensing and Community, to make any minor changes as necessary relating to legislation or process during the policy period.

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## 1. Summary

- 1.1 Dover District Council, and all other Local Authorities are part of the statutory safeguarding role within the wider public sector. We all have a responsibility to children, young people and vulnerable adults. DDC has the responsibility to provide and ensure all employees adhere to safeguarding policies and ensure easy pathways to KCC to report safeguarding concerns. By ensuring our staff uphold our own Safeguarding Policy and Procedures we will support Kent County Council in their statutory role in making safeguarding personal and provide them with the relevant and timely information they need to investigate concerns. The current safeguarding policy and procedure are not consistent and only relate to Children with no reference to Vulnerable Adults which is inconsistent with various recent changes in legislation and working practices.

## 2. Introduction and Background

- 2.1 The new updated Safeguarding Policy (Appendix 1) also includes, a flow chart for internal staff on how to report safeguarding (Appendix 2), a list of job roles requiring a DBS check (Appendix 3), a list of DBS authorisers (Appendix 4).
- 2.2 The Safeguarding policy and procedure, and corporate safeguarding function within the District Council ensures that we are fulfilling our duty through a coordinated approach across all departments to ensure that we are aware of

what safeguarding is (how to recognise it), how to discuss safeguarding concerns, where and how to report safeguarding, and lastly how to record all safeguarding concerns. This report presents the revised policy, looks at the changes since the last safeguarding policy was reviewed (Policy agreed July 2006, last updated July 2016) and provides an update on the current work completed with our HR department and recent DBS Audit by the East Kent Audit Partnership to ensure the appropriate roles and responsibilities have been appropriately DBS checked within the Local Authority.

- 2.3 In the formation and development of the Safeguarding Policy, communication and consultation has taken place with a variety of internal DDC departments, external stake holders and public bodies, including neighbouring local authorities to ensure consistency and best practice is adopted.

### **3. Significant Changes to the Policy**

- 3.1 Since the last review the previous Kent Safeguarding Children's Board (KSCB) has been replaced with the Kent Safeguarding Children Multi agency Partnership (KSCMP).
- 3.2 This policy considers the arrangements at County level and the requirements of the Kent and Medway Adult Safeguarding Board (KMASB) and the new recent arrangements that have replaced Local Safeguarding Boards for children.
- 3.3 In December 2015, the Government asked Sir Alan Wood to undertake a review into effectiveness of Local Safeguarding Children's Boards (LSCBs). His review, (published in May 2016), concluded that LSCBs did not work effectively and should be abolished. The Wood review proposed a new model of collective working that would ensure better multi-agency collaboration, placing responsibilities on three key agencies to take a strategic lead on safeguarding and the promotion of child welfare in each local authority area. The Wood Review recommendations formed a core part of the Children and Social Work Act 2017.
- 3.4 Under the Children Act 2004, (as amended by the Children and Social Work Act 2017), LSCBs set up by Local Authorities had to be replaced. The revised legislation requires the three 'Safeguarding Partners' (the Local Authority, the Chief Officer of Police, and Clinical Commissioning Groups) to make arrangements to work together with relevant agencies, as they consider appropriate, to safeguard and protect the welfare of children in the area. District Councils are named as relevant authorities together with other agencies.
- 3.5 'Working Together to Safeguard Children 2018' and 'Working Together: transitional guidance 2018' statutory documents, set out further structural requirements for the proposed new multi-agency local safeguarding partnership arrangements. The legislation and Working Together require the three Safeguarding Partners to discharge a 'shared and equal duty' to safeguard and promote the welfare of children. These arrangements had to be published by the 29th June 2019 and implemented by the 29th September 2019. The KSCB website has transitioned across to a new Partnership website [www.kscmp.org.uk](http://www.kscmp.org.uk).

- 3.6 The Care Act 2014 is an Act of the Parliament of the United Kingdom that received Royal Assent on 14 May 2014, after being introduced on 9 May 2013. The main purpose of the act was to overhaul the existing 60-year-old legislation regarding social care in England. The Care Act 2014 sets out in one place, local authorities' duties in relation to assessing people's needs and their eligibility for publicly funded care and support.
- 3.7 The two biggest changes within this were that carers well-being had to be looked after by local councils as well as the cared for and safeguarding vulnerable adults guidance which had previously been taken from the 2000 No secrets guidance was now replaced with statutory guidance issued under this legislation.
- 3.8 In Kent the arrangements are now taking shape and new structures for subgroups are being formulated with appropriate District Council leads being appointed to them.
- 3.9 In respect of the previous policy, no comprehensively assessed DBS requirement list of current roles within DDC had been undertaken.
- 3.10 Since the last Policy was published there has been a change to reporting processes to the Children's' Front Door KCC system. All key staff have been trained on this and this encompasses use of a Single Request for Support Form managed through a new front door system operated by KCC. Advice can be sought from KCC where it is unclear what to do through a District conversation via KCC's early help teams.
- 3.11 A KASAF is used to raise concerns regarding Adults to the Adults Safeguarding team and you can also request a consultation with them before submitting any formal report.
- 3.12 Safeguarding is always evolving, and the policy needs to reflect the ever-changing world we live in. We are currently starting to involve 'Contextual safeguarding' as part of everyone's learning, and this ever-increasing need for safeguarding children, young people and vulnerable adults will need a safeguarding policy and procedure that continue to be updated and adapted accordingly.

#### **4 Identification of Options**

- 4.1 Option 1; The initial option is to leave the current safeguarding policy (agreed 2006) untouched and last reviewed in 2016.
- 4.2 Option 2; The preferable option is for the safeguarding policy to be agreed to be refreshed to the updated version with an agreed review every three years. With delegated authority given to the Head of Community and Digital Services in consultation with the Portfolio Holder for Transport, Licencing and Communities, to make any minor changes as necessary in relation to changes to legislation or process during the period.

#### **5 Evaluation of Options**

- 5.1 Option 1; This will leave the District Council at high risk as the current policy and procedure are not up to date, and do not reflect current legislation or support the staffing with a robust procedure. It will provide no better service than we currently have and lead the District Council open to lack of consistency and efficiency and the public at potential risk, and the Council will be failing in its duty to safeguarding children, young people and vulnerable adults.
- 5.2 Option 2; The current policy shows some significant changes in practice and new legislation impacting on all Councils safeguarding responsibilities. The internal/external web page will also be updated in line with updated current documents. The relationship between the East Kent Human Resources team and DDC will be more cohesive due to this clear and concise updated policy.
- 5.3 The comprehensively assessed job list of roles requiring DBS checks within the local authority has been undertaken in line with the Disclosure and Barring Service (DBS) criminal record checks for specific positions, professions, employment, offices, works and licences included in the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 and those prescribed in the Police Act 1997 (Criminal Records) regulations. Which has been reviewed and agreed by East Kent Audit Partnership.
- 5.4 The process to report safeguarding concerns within the Council and how to report to KCC would be much clearer now and will support staff feel less confused about talking about safeguarding and how to report it. The risks to the public would be minimised and safeguarding concerns can be raised accordingly in a much more efficient way.

## **6 Resource Implications**

- 6.1 The role of the safeguarding 'team' will sit within the Community services team and be absorbed into the daily tasks that are completed. Staff will need to keep training updated but this will fall within the needs of each individual personal development plan.
- 6.2 The cost of DBS checks for each individual department will vary but there will be an initial increase in cost for this due to the low level of current DBS checks the District Council has. As highlighted in a recent internal audit completed by EKAP identifying the need for more DBS checks to be completed over a larger number of roles across the organisation, as per the DBS exceptions guidance. Identified roles that require a DBS check at DDC are approximately 150 posts costing approximately £6,450 every 3 years or £2,150 every year. Best practice shows these DBS checks should be repeated every three years. Identification of future roles requiring a DBS check will be picked up by the Safeguarding team through the employment management group process.

## **7 Climate Change and Environmental Implications**

- 7.1 This policy will have no impact on climate change or environmental implications.

## **8 Corporate Implications**

- 8.1 Comment from the Director of Finance (linked to the MTFP): 'Accountancy have been consulted on the financial matters in this report and have no further comments to add'. (LS)

- 8.2 Comment from the Solicitor to the Council: 'The Head of Governance has been consulted during the preparation of this report and has no further comment to make'. LM
- 8.3 Comment from the Equalities Officer: 'This report does not specifically highlight any equality implications, however in discharging their duties members are required to comply with the public sector equality duty as set out in Section 149 of the Equality Act 2010' (KM)  
<http://www.legislation.gov.uk/ukpga/2010/15/section/149>

9 **Appendices**

- Appendix 1 – Proposed Dover District Council Safeguarding Policy
- Appendix 2 – What to do if you come across a Safeguarding Concern
- Appendix 3 – List of job roles requiring a DBS check
- Appendix 4 – List of DBS authorisers

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