

AGENDA

Page No

1. MINUTES

To confirm the decisions of the meeting held on 1 September 2015 (CA.19 - CA.30), previously circulated.

2. APOLOGIES FOR ABSENCE

Resources Management

3. IMPLEMENTATION OF THE COMMUNITY INFRASTRUCTURE LEVY (CIL) CHARGING SCHEDULE

1 - 2

In April Council agreed the arrangements for implementing Community Infrastructure Levy (CIL) in Hambleton. This allowed for direct payment of CIL as a charge or by payment in kind by donating land but did not consider payment in kind through direct provision of infrastructure. This report seeks consideration of an amended to the CIL Charging Schedule to allow for direct provision of infrastructure to be included within the Council's Regulation 123 list in lieu of a financial payment.

In accepting the recommendation, Cabinet will approval and recommend to Council that the Hambleton District Council Community Infrastructure Levy Charging Schedule is amended to allow for direct provision of infrastructure to be included within the Council's Regulation 123 list in lieu of a financial payment.

Relevant Ward(s): All Wards outside the North York Moors National Park

Policy Implementation

4. STOKESLEY NEIGHBOURHOOD AREA DESIGNATION

3 - 12

This report seeks consideration of an application for a Neighbourhood Area Designation submitted by Stokesley Parish Council.

In accepting the recommendation, the designation of a Neighbourhood Area for Stokesley Parish will be agreed and publicised as necessary and Government Grant Funding will be passed to Stokesley Parish Council to cover their submitted costs of plan preparation up to £3,000.

Relevant Ward(s): Stokesley

5. CHILDREN AND ADULTS AT RISK SAFEGUARDING POLICY AND PROCEDURE

13 - 52

This report seeks approval of a revised Children and Adults at Risk Safeguarding Policy in line with the review process and in light of recent changes in legislation.

In accepting the recommendation, the content of the revised Safeguarding Children and Adults at Risk Policy and procedures attached at Annex A of the report will be approved and recommended to Council for adoption.

Relevant Ward(s): All Wards

HAMBLETON DISTRICT COUNCIL

Report To: Cabinet
6 October 2015

Subject: **IMPLEMENTATION OF THE COMMUNITY INFRASTRUCTURE LEVY (CIL)
CHARGING SCHEDULE**

**All Wards outside of the North York Moors National Park
Portfolio Holder for Environmental & Planning Services: Councillor B Phillips**

1.0 PURPOSE AND BACKGROUND:

- 1.1 In April Council agreed the arrangements for implementing CIL in Hambleton. This allowed for direct payment of CIL as a charge or by payment in kind by donating land but did not consider payment in kind through direct provision of infrastructure.
- 1.2 Council has since agreed to accept direct provision of the North Northallerton Link Road in lieu of payments that would be due from the developers of the North Northallerton Development Area, currently the subject of a hybrid planning application. However, the adopted arrangements for CIL do not allow for this in other circumstances and whilst it is not expected to be a common occurrence it would assist the provision of agreed infrastructure to allow other developers the option of direct provision.

2.0 LINK TO COUNCIL PRIORITIES:

- 2.1 Priorities for infrastructure investment in Hambleton are set in a list adopted by the Council under Regulation 123 of the Community Infrastructure Levy Regulations 2010. The amendment proposed would only apply to infrastructure projects prioritised by the Council in this way.
- 2.2 Paragraph 16 of the Hambleton District Council Community Infrastructure Levy Charging Schedule currently reads:

Payment of CIL 'in-kind'

Under CIL Regulations charging authorities may, at their own discretion, consider accepting land as payment in kind in lieu of CIL. This will only normally be considered for land in excess of that needed to deliver infrastructure required as a direct result of the permitted development (e.g. if the permitted development requires a children's play area on-site, that land will not be accepted as payment in lieu of CIL). The value of the land for in lieu payment will be determined by an independent valuer.

- 2.3 It is recommended that the following sentence is added:

The Council will also accept direct provision of infrastructure on its current Regulation 123 list with an equal reduction in any payment due from the development in question.

3.0 RISK ASSESSMENT:

- 3.1 No risks are foreseen from accepting or not accepting the recommendation; the proposed change would make the implementation of CIL easier administratively in some circumstances.

4.0 FINANCIAL IMPLICATIONS:

4.1 No revenue or capital implications are foreseen; the value of any infrastructure provided would equate to the charge that would be payable in its place.

5.0 LEGAL IMPLICATIONS:

5.1 None are foreseen.

6.0 EQUALITY/DIVERSITY ISSUES:

6.1 None are foreseen.

7.0 RECOMMENDATION:

7.1 That Cabinet approves and recommends to Council that the Hambleton District Council Community Infrastructure Levy Charging Schedule is amended to allow for direct provision of infrastructure included within the Council's Regulation 123 list in lieu of a financial payment.

MICK JEWITT

Background papers: Hambleton District Council Community Infrastructure Levy Charging Schedule

Author ref: MDH

Contact: Mark Harbottle
Head of Service – Planning & Housing
01609 767115

HAMBLETON DISTRICT COUNCIL

Report To: Cabinet
6 October 2015

Subject: **STOKESLEY NEIGHBOURHOOD AREA DESIGNATION**

Stokesley Ward
Portfolio Holder for Environmental and Planning Services: Councillor B Phillips

1.0 PURPOSE AND BACKGROUND:

- 1.1 The Localism Act 2011 provided a new statutory regime for Neighbourhood Planning. Regulations came into force on 6 April 2012 making legal provisions in relation to that regime and a first step in the process is the designation of a Neighbourhood Area.
- 1.2 On 23 July 2015 an application was submitted by Stokesley Parish Council to this Council for designation of their parish as a Neighbourhood Area to enable them to proceed with formal Neighbourhood Plan preparation (See letter and maps at Annex A).
- 1.3 We are under a general duty to support Neighbourhood Plan preparation and several meetings have been held with the Neighbourhood Plan Steering Group.
- 1.4 The application for Neighbourhood Area designation was publicised on 31 July 2015 and now the Council must consider any representations submitted by 11 September 2015 before making a decision on designation of the area.
- 1.5 The application was publicised on Hambleton's website and a public notice advert was placed in the Darlington and Stockton Times newspaper.
- 1.6 The Council should support the application as it is validly made, the parish area provides for a logical Plan making boundary and whilst one representation has been made there have been no objections to designation (see letter at Annex B). If the Council decides not to support the application it must give reasons.

2.0 LINK TO COUNCIL PRIORITIES:

- 2.1 The Council Plan 2011 - 15 aims 'to encourage our residents to become more involved in making decisions which impact on local communities'. Although Neighbourhood planning is not mentioned as a priority action, this Neighbourhood Area designation would undoubtedly allow local residents and businesses to decide on future development plan making.

3.0 RISK ASSESSMENT:

- 3.1 There are no risks associated with this report.

4.0 FINANCIAL IMPLICATIONS:

- 4.1 There is no cost associated with Neighbourhood Area designation other than a small cost for advertising the decision in a local newspaper - and for the not insignificant officer time involved. However, the Council will incur much larger costs with the subsequent preparation of the Neighbourhood Plan (e.g. for the examination and referendum) but this is expected to be covered by the Department of Communities and Local Government grants to the Council, which currently total £30,000 for each Neighbourhood Plan, made in three payment stages. Following designation of a Neighbourhood Area, £5,000 will be received by the District Council, which recognises the officer time supporting and advising the

community in taking forward a Neighbourhood Plan. The second payment (of £5,000) is not received until the Neighbourhood Plan is publicised prior to examination. The third payment of £20,000 is made on successful completion of the examination.

4.2 As previously agreed (Cabinet November 2012 - CA46) for Huby and Appleton Wiske and Easingwold (Cabinet July 2014 – CA16), some of this grant should be used to fund the Neighbourhood Plan Group's submitted expenses (e.g. for consultation materials and events) up to £3,000.

4.4 When the Neighbourhood Plan is adopted there will be an impact on this Council's Community Infrastructure Levy (CIL) receipts as 25% (rather than 15%) of payments for eligible developments in the parish will go to the Parish Council to spend on their infrastructure projects. Further, where a Neighbourhood Plan is made these receipts are uncapped, for parishes without a neighbourhood plan receipts are capped at £100 per dwelling per annum. The level of income expected to be lost by this Council whilst at present may be negligible due to approvals at Whitehouse Farm development and the Tanton Road appeal has been upheld, in the future the impact will be dependent on the level of growth expected to take place within Stokesley.

5.0 LEGAL IMPLICATIONS:

5.1 The legal requirements under Part 2 of The Neighbourhood Planning (General) Regulations 2012 have been complied with. The next step requires the Council to publish details (area name, map and applicant) of the Neighbourhood Area designation decision on our website and in such other manner we consider likely to bring it to the attention of local residents, workers and businesses.

6.0 EQUALITY AND DIVERSITY ISSUES:

6.1 None.

7.0 HEALTH AND SAFETY ISSUES:

7.1 None.

8.0 RECOMMENDATIONS:

8.1 It is recommended that Cabinet agrees:

- (1) the designation of a Neighbourhood Area for Stokesley parish and publicises the necessary information;
- (2) Government grant funding be passed to Stokesley Parish Council to cover their submitted costs of plan preparation up to £3,000;

MICK JEWITT

Background papers: The Neighbourhood Planning (General) Regulations 2012.
Public Notice advert in Darlington & Stockton Times 31 July 2015 and on HDC website.
Supporting Communities in Neighbourhood Planning 2013-15, DCLG, March 2013.

Author ref:

HL

Contact:

Hannah Langler

Planning Policy Officer

Direct Line No – 01609 767185

061015 Neighbourhood Area designation

22 July 2015

Hannah Langler
Planning Policy Department
Hambleton District Council
Civic Centre
Stone Cross
Northallerton
DL6 2UU

Dear Ms Langler

Stokesley Neighbourhood Plan

I am writing to inform you that Stokesley Parish Council has resolved at an ordinary meeting of the Parish Council held on 14th July 2015 to develop a Neighbourhood Plan (Minute Reference 8/14/07/15 – 10.).

We are therefore applying to Hambleton District Council to designate Stokesley Parish as the 'Neighbourhood Area' in accordance with Part 2 of the Neighbourhood Planning (General) Regulations 2012.

We confirm that Stokesley Parish Council is a relevant body for the purposes of Section 61G of the 1990 Town and Country Planning Act which specifically includes Parish Councils.

The area to be covered by the neighbourhood plan is the whole of Stokesley Parish. A map confirming the area to be designated is attached.

It is considered that the parish is appropriate to be designated as the neighbourhood area as it has meaningful and clear boundaries, reflects the existing local sense of community and is a generally recognised as an existing, discrete entity for policy making purposes.

An initial public consultation event held at Stokesley Town Hall on June 6th 2015 gathered approximately 1,500 comments from the community – analysis of this data is ongoing but clearly demonstrates that the community's views, concerns and aspirations are almost exclusively related to the Stokesley Parish area whilst recognising there are some

connectivity issues with the surrounding area and Parishes which will be addressed as the project moves forward.

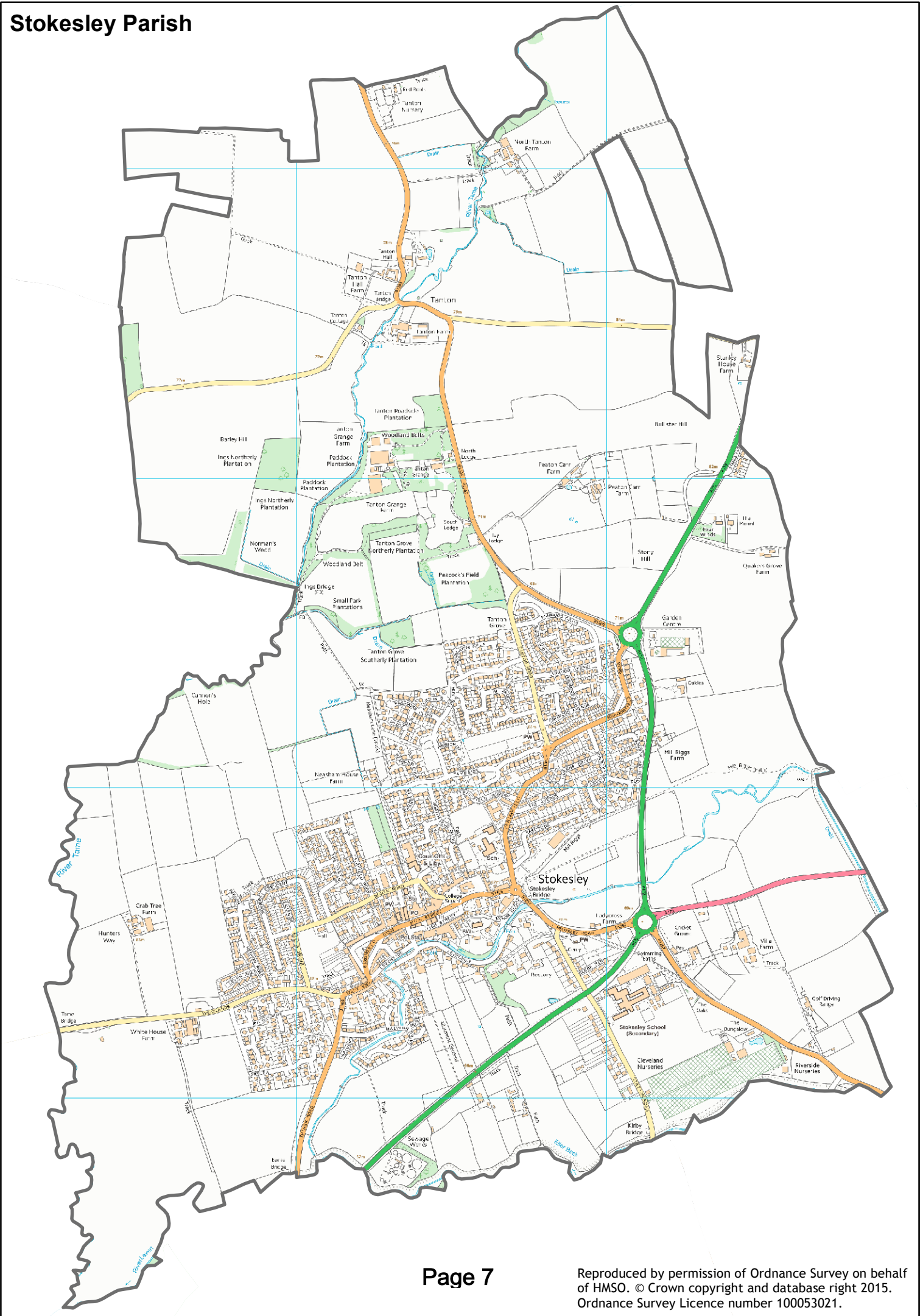
We look forward to working with Hambleton District Council and to your support in developing the Neighbourhood Plan for Stokesley.

Could I please ask that you acknowledge receipt of this application and inform us of the timescale involved for approval of the area designation.

Yours sincerely

Julie McLuckie
Clerk to Stokesley Parish Council

Stokesley Parish





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Planning Policy
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(Representations submitted by email planningpolicy@hambleton.gov.uk)

28th August 2015

Re: Stokesley Neighbourhood Development Plan – Application for Neighbourhood Area Designation

Dear Sirs,

Gladman Developments Ltd (Gladman) specialise in the promotion of strategic land for residential development with associated community infrastructure. This letter provides Gladmans' representations on the application made by Stokesley Parish Council for the designation of a Neighbourhood Area, for the purposes of preparing a Neighbourhood Development Plan.

At this stage Gladman have no specific comments to make on the application for the Neighbourhood Area designation. However, as the first formal stage of preparing a Neighbourhood Plan, Gladman would like to take the opportunity to comment on the Stokesley Neighbourhood Area application to highlight a number of key requirements to which the development of the emerging Neighbourhood Plan should have regard. Gladman wish to participate in the Neighbourhood Plan's preparation and to be notified of further developments and consultations in this regard.

Neighbourhood Plans - Guidance and Legislation

The National Planning Policy Framework (The Framework) sets out the Government's planning policies for England and how these are expected to be applied. In doing so it sets out requirements for the preparation of neighbourhood plans and the role these should take in setting out policies for the local area. The requirements set out in the Framework have now been supplemented by the guidance contained in the Neighbourhood Planning chapter of the PPG.

Paragraph 16 of the Framework sets out the positive role that Neighbourhood Plans should play in meeting the development needs of the local area. Its states that:

"The application of the Presumption (In Favour of Sustainable Development, set out in paragraph 14 of Framework) will have implications for how communities engage in neighbourhood planning. Critically it will mean that neighbourhoods should:

- *Develop plans that support the strategic development needs set out in Local Plans, including policies for housing and economic development;*
- *Plan positively to support local development, shaping and directing development in their area that is outside of the strategic elements of the Local Plan"*

Further guidance on the relationship between Neighbourhood Plans and strategic policies for the wider area set out in a Council's Local Plan is included in paragraph 184 of the Framework:

"The ambition of the neighbourhood should be aligned with the strategic needs and priorities of the wider local area. Neighbourhood Plans must be in general conformity with the strategic policies of the Local Plan. To facilitate this, local planning authorities should set out clearly their strategic policies for the area and ensure that an up-to-date plan is in place as quickly as possible. Neighbourhood Plans should reflect these policies and neighbourhoods should plan positively to support them. Neighbourhood Plans...should not promote less development than set out in the Local Plan or undermine its strategic policies".

Before a Neighbourhood Plan can proceed to referendum it must be tested against the Neighbourhood Plan Basic Conditions, set out in paragraph 8(2) of Schedule 4B of the Town and Country Planning Act 1990 and further detailed in paragraph 065 of the Neighbourhood Plan PPG. These Basic Conditions are:

- a) Having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the neighbourhood plan*
- b) Having special regard to the desirability of preserving any listed building or its setting or any features of special architectural or historic interest that it possesses, it is appropriate to make the order*
- c) Having special regard to the desirability of preserving or enhancing the character or appearance of any conservation area, it is appropriate to make the order*
- d) The making of the neighbourhood plan contributes to the achievement of sustainable development*
- e) The making of the neighbourhood plan is in general conformity with the strategic policies contained within the development plan for the area of the authority*
- f) The making of the neighbourhood plan does not breach, and is otherwise compatible with, EU obligations*
- g) Prescribed conditions are met in relation to the plan and prescribed matters have been complied with in connection with the proposal for the neighbourhood plan*

If a Neighbourhood Plan is not developed in accordance with the Neighbourhood Plan Basic Conditions there is a real risk that it will fail when it reaches Independent Examination.

Relationship with Local Plans

To meet the requirements of the Framework and the Neighbourhood Plan Basic Conditions, Neighbourhood Plans should be prepared to conform to up-to-date strategic policy requirements set out in Local Plans. Where an up-to-date Local Plan has been adopted and is in place for the wider authority area, it is the strategic policy requirements set out in this document that a Neighbourhood Plan should seek to support and meet. When a Local Plan is emerging or is yet to be found sound at Examination, there will be lack of certainty over what scale of development a community must accommodate or the direction the policies in the Neighbourhood Plan should take.

The Development Plan consists of the Hambleton Core Strategy (adopted April 2007), Development Policies DPD (adopted February 2008) and the Allocations DPD (adopted December 2010). It is clear that the Development Plan predates the publication of the Framework and its housing requirement is not based on the full objectively assessed needs for housing as required by the Framework.

Gladman note that on 16th September 2014 the Council decided to undertake a full Plan review. The Council are currently in the initial stages of preparing its emerging Local Plan, Gladman therefore question the Parish Council's ability to progress with a Neighbourhood Plan at this time as there is no up-to-date Development Plan consistent with the requirements of the Framework to which the Neighbourhood Plan can be based or tested against.

Given the above it cannot be certain what level of development Stokesley will need to accommodate to meet the district's housing needs. Gladman therefore recommend that further work on the Neighbourhood Plan be delayed until the strategic requirements for the wider area are more certain.

Although the Neighbourhood Plan PPG indicates that Neighbourhood Plans can be advanced before an up-to-date Local Plan is in place, Gladman would strongly question the ability to progress a Neighbourhood Plan on this basis. If a Neighbourhood Plan is progressed prior to an up-to-date Local Plan being prepared, or the strategic policies and development requirements set out in an emerging Local Plan change, then the work on the Neighbourhood Plan is likely to be abortive. A Neighbourhood Plan cannot be consistent with the requirements of the Framework or the meet the Neighbourhood Plan Basic Conditions if it is progressed on a development plan that is out-of-date.

Woodcock Judgement

The recent Woodcock High Court judgement demonstrates the implications of progressing a Neighbourhood Plan where there is no up-to-date Local Plan in place nor a 5 year housing land supply (as is currently the case in Hambleton). In summary, this High Court Judgement demonstrates the following key points:

- That paragraphs 14 and 49 of the Framework in regard to five year housing land supply and the weight that should be given to extant housing land policies applies equally to both emerging and 'made' Neighbourhood Plans as other development plan documents otherwise adopted and/or emerging by the local planning authority.
- There is nothing in policy or statute that elevates Neighbourhood Planning to a level above the wider development plan that enables special consideration.
- Neighbourhood Plans must respect national policy and the core planning principles outlined within the Framework.
- Prematurity must be assessed against the whole requirements of the PPG. In Neighbourhood Planning there is no requirement for planning bodies to produce an OAN, as there is no requirement to consider the effectiveness or justification of a Plan.

Given the recent Woodcock judgement it would be inappropriate to progress with a Neighbourhood Plan at this time as the Council do not have an up-to-date Framework/PPG compliant Plan in place nor is the Council able to demonstrate a 5 year housing land supply.

If the Stokesley Neighbourhood Plan is progressed prior to the adoption of the emerging Local Plan then the housing policies contained in the Neighbourhood Plan will be found out of date before they are even adopted. Gladman recommend that the progression of the Neighbourhood Plan be delayed until there is greater certainty regarding the strategic priorities for the wider area.

Neighbourhood Plan Policies and Proposals

In accordance with the Neighbourhood Plan Basic Conditions, Neighbourhood Plan policies should align with the requirements of the Framework and the wider strategic policies for the area set out in the Council's Local Plan. Neighbourhood Plans should provide a policy framework that complements and

supports the requirements set out in these higher-order documents, setting out further, locally-specific requirements that will be applied to development proposals coming forward.

The Framework is clear that Neighbourhood Plans cannot introduce policies and proposals that would prevent development from going ahead. They are required to plan positively for new development, enabling sufficient growth to take place to meet the strategic development needs for the area. Policies that are clearly worded or intended to place an unjustified constraint on further sustainable development taking place would not be consistent with the requirements of the Framework or meet the Neighbourhood Plan Basic Conditions.

Communities should not seek to include policies in Neighbourhood Plans that have no planning basis or are inconsistent with national and local policy obligations. Proposals should be appropriately justified by the findings of a supporting evidence base and must be sufficiently clear to be capable of being interpreted by applicants and decision makers. Policies and proposals should be designed to add value to policies set out in Local Plan and national guidance, as opposed to replicating their requirements. The community should liaise with the Council's planning team to seek advice on the appropriateness of the Neighbourhood Plan's proposals.

Sustainability Appraisal/Strategic Environmental Assessment

The preparation of a Neighbourhood Plan may fall under the scope of the Environmental Assessment of Plans and Programmes Regulations 2004 (SEA Regulations) that require a Strategic Environmental Assessment (SEA) to be undertaken where a Plan's proposals would be likely to have significant environmental effects. The requirement to undertake an SEA will be dependent on a Neighbourhood Plan's proposals, but is likely to be necessary where a Plan is proposing specific allocations or site designations.

In accordance with Schedule 1 of the SEA Regulations, a Screening Assessment of a Neighbourhood Plan's proposals should be completed to assess whether an SEA must be prepared. Where an SEA is required this should be commenced at the earliest opportunity, alongside the preparation of the emerging Neighbourhood Plan, to ensure the Neighbourhood Plan's proposals have been properly considered through the SEA process, and appropriately justified against other reasonable alternatives. Where an adequate SEA has not been undertaken a Neighbourhood Plan is unlikely to meet the Neighbourhood Plan Basic Conditions.

Although Neighbourhood Plans do not require a Sustainability Appraisal (SA) of their proposals, preparing an SA can help to show how a Neighbourhood Plan will contribute to the achievement of sustainable development, a Neighbourhood Plan Basic Condition. Where an SEA is required, extending this assessment to the preparation of an SA is unlikely to require significant additional input.

The Council's planning team will be able to advise on the likely need for an SEA of the Neighbourhood Plan's proposals. To be compatible with EU obligations, further appraisals, such as a Habitats Regulations Assessment, may also be required depending on local circumstances.

I hope you have found this letter to be constructive. Should you have any queries in relation to our response please do not hesitate to contact us.

Yours faithfully

John Fleming

Gladman Developments Ltd

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HAMBLETON DISTRICT COUNCIL

Report To: Cabinet
6 October 2015

Subject: CHILDREN AND ADULTS AT RISK SAFEGUARDING POLICY AND PROCEDURE

All Wards
Portfolio Holder for Leisure and Customer Services: Councillor Mrs B S Fortune

1.0 PURPOSE AND BACKGROUND:

1.1 To approve the revised children and adults at risk safeguarding policy (see appendix A) in line with the review process and in light of recent changes in legislation.

2.0 LINK TO COUNCIL PRIORITIES:

2.1 Safeguarding is a corporate responsibility.

3.0 RISK ASSESSMENT:

3.1 The key risk is in not approving the recommendation as shown below:-

Risk	Implication	Prob*	Imp*	Total	Preventative action
If the Council's safeguarding policy is not up to date staff may not follow procedure.	Staff, volunteers and customers may be at risk and not protected from abuse which could have serious implications for the Council and for individuals	4	4	16	Ensure that the safeguarding policy is approved and that staff are fully briefed on the new procedures.

Overall the risk of agreeing with the recommendations outweighs the risks of not agreeing them.

4.0 FINANCIAL IMPLICATIONS:

4.1 There are no significant financial implications for approving the new policy other than training costs which are minimal and will be met within existing budgets.

5.0 LEGAL IMPLICATIONS:

5.1 The new policy has taken into account new legislation in particular the Care Act 2014 and updated guidance from the North Yorkshire Safeguarding Adults Multi-Agency Policy and Procedures.

6.0 EQUALITY/DIVERSITY ISSUES

6.1 The children and adults at risk safeguarding policy actively helps the Council to deliver its equality obligations by protecting those at greatest risk in the community including children and adults with disabilities and/or care requirements. It will also help protect vulnerable

7.0 HEALTH AND SAFETY ISSUES

7.1 Safeguarding is a key health and safety function of the Council. The new policy will ensure that the Council's safeguarding procedures are up to date and that staff are fully informed of their duty to safeguard children and adults at risk.

8.0 RECOMMENDATION:

8.1 That Cabinet approves the content of the revised Safeguarding Children and Adults at Risk Policy and procedures at appendix A of the report and recommends to Council that the policy is adopted.

DAVE GOODWIN

Background papers: Care Act 2014
North Yorkshire Safeguarding Adults Multi-Agency Policy and Procedure

Author ref: LW

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Communities Manager
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061015 Safeguarding Policy

**CHILDREN AND ADULTS AT RISK
SAFEGUARDING POLICY AND PROCEDURES**

DRAFT

September 2015

Document Control

Organisation	Hambleton District Council
Title	Children and Adults at Risk Safeguarding Policy and Procedures
Author	Lisa Wilson, Communities Manager
Filename	Safeguarding Children and Adults at Risk Policy – Aug 2015
Subject	Safeguarding children and adults at risk
Review date	September 2018

Revision History

Revision Date	Reviser	Previous Version	Description of Revision
January 2010	Dave Goodwin	n/a	Original
September 2015	Lisa Wilson	January 2012	Revised to address new guidance and legislation

Document Approvals

This document requires the following approvals:

Approval	Name	Date
Management Team	Phil Morton	12 August 2015
Cabinet	CLlr Bridget Fortune	6 October 2015
Council		

Contributors

In developing this Policy, the Council uses information and guidelines from various sources including:

- Code of Conduct
- Disciplinary Policy and Procedure
- DBS Policy
- Employment of Ex-Offenders
- Equality Policy
- Data Protection Policy and Procedures
- North Yorkshire Safeguarding Multi-Agency Procedures
- Safeguarding Internal Audit
- Harassment and Bullying Policy and Procedures
- Recruitment and Selection Policy and Procedures
- Health and Safety Policies and Procedures
- Whistleblowing Policy and Procedures
- Complaints Policy and Procedures
- ICT User Policy
- North Yorkshire Safeguarding Self-Assessments (Section 11 and Partner Self-Assessment Framework
- The Care Act 2014
- Working Together 2015

CHILDREN AND ADULTS AT RISK SAFEGUARDING POLICY AND PROCEDURES CONTENT

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1. What is abuse?

Abuse is the violation of an individual's human or civil rights by another person or persons. It can be a single act or repeated acts. It can be physical, psychological, sexual or emotional. It also includes acts of neglect or an omission to act. In all forms of abuse there are elements of emotional abuse. Adults at risk may also suffer additional types of abuse such as being manipulated financially or discriminated against. Other examples include inflicting physical harm such as hitting or misuse of medication, sexual assault or exposure to sexual acts without consent, emotional abuse such as threats, humiliation and harassment, exploitation, ignoring medical needs, withholding of necessities such as food or heating. This list is not definitive.

Abuse may take place in a family or in an institutional or community setting, by those known to the victim or, more rarely, by a stranger.

The abuser may be an adult or adults, or a child or children. People who behave abusively come from all backgrounds and walks of life. They may be doctors, nurses, social workers, advocates, staff members, volunteers or others in a position of trust. They may also be relatives, friends, neighbours or people who use the same services as the person experiencing abuse.

Definitions of each category of abuse are detailed in Appendix A.

2. Definition of child and adult at risk

Child

A child is legally defined as **anyone under the age of 18**.

Adults at risk

An adult at risk is a person aged 18 years or over who may be unable to take care of themselves, or protect themselves from harm or from being exploited. Everyone has the right to live without fear of being abused and with their rights and choices respected.

Some people are more vulnerable than others because they are old and frail, or have a sensory impairment, a disability, a mental health condition, or have some form of illness. This means they may have difficulty in making their wishes and feelings known and this may make them vulnerable to abuse. It may also mean that they are not able to make their own decisions or choices. A person may also be vulnerable because of a temporary illness or difficulty.

An adult at risk may:

- Live in residential accommodation, live in sheltered housing, receive domiciliary care in their own home
- Be detained in lawful custody (in prison, remand centre, young offender institution, secure training or attendance centre, or under the powers of Immigration and Asylum Act 1999, or under the supervision of the probation services)
- Receive a specified welfare service or receive any form of healthcare
- Receive a service or participating in an activity for people who have particular needs because of their age or who have any form of disability
- Require assistance in the conduct of their own affairs.

An adult at risk may therefore be a person who, for example:

- is an older person who is frail due to ill health, physical disability or cognitive impairment
- has a learning disability
- has a physical disability and/or a sensory impairment
- has mental health needs including dementia or a personality disorder
- has a long-term illness/condition
- misuses substances or alcohol
- is an unpaid carer such as a family member/friend who provides personal assistance and care to adults and is subject to abuse
- lacks mental capacity to make particular decisions and is in need of care and support

This list will not be exhaustive.

A safeguarding response may be needed for unpaid carers:

- A carer may experience intentional or unintentional harm from the adult they are trying to support or from professionals and organisations they are in contact with
- A carer may intentionally or unintentionally harm or neglect the adult they support on their own or with others

If you are worried about a child or adult at risk

Please report your concerns or talk as soon as possible to your **line manager** and/or the:

Designated Safeguarding Officer: **Lisa Wilson, tel. 01609 767149**

Deputy Safeguarding Officers: **Alison Morton, tel. 01609 767177**
Lynne Halls, tel. 01609 767184

These officers are nominated to act on the Council's behalf in referring allegations or suspicions to the statutory authorities.

You can also contact: **North Yorkshire County Council Social Care, tel. 01609 780780**

Email: social.care@northyorks.gov.uk

If you consider it to be an **emergency** then contact the **Police** directly by **calling 999** or you can call them in a non-emergency on **101**.

If suspicions relate to any member of staff, contact the Council's nominated Named Senior Officer **Steve Lister, Head of Service for Leisure and Communities, tel. 01609 767033** or Deputy Named Senior Officer **Dave Goodwin, Executive Director, tel. 01609 767147**

IMPORTANT

Remember it is not up to you to decide if abuse has taken place, that is the role of North Yorkshire's Social Care Services, BUT it is up to you to report ANY concerns to your Designated Safeguarding Officer.

We have a legal responsibility to respond to any issues that may concern us even if they don't involve our staff or services.

1. General Principles

Hambleton District Council delivers a range of services which help to improve outcomes for children and adults at risk. Services can be delivered in a variety of ways and a variety of settings. This policy applies to all our service areas and any setting where we deliver services whether it is from our operational buildings or out in the community.

The Council recognises that all children and adults at risk, have a right to protection from abuse, and acknowledges its responsibility for safeguarding and promoting the welfare of children and adults at risk. The legislative framework within which this policy is operated is at Appendix B.

The Council is committed to the following principles:

- promoting good practice and enhancing safeguarding of children and adults at risk irrespective of their age, class, religion, culture, disability, gender, ethnicity, sexual orientation, nationality, family, dependency, marital or economic status;
- contributing positively to improving outcomes for these groups through the development and delivery of its services;
- recognising its duty, under Section 11 of the Children Act 2004, to ensure that functions, and services regard the need to safeguard and promote the welfare of children;
- working with partners within inter-agency frameworks to ensure that children and adults at risk receive protection and support from abuse;
- acknowledges that the identification of abuse is the responsibility of all members of the community. It is the particular responsibility of Council staff to raise awareness, provide support and take appropriate action.

The Council has in place a range of policies and procedures, which contribute to safeguard and promote the welfare of children and adults at risk. These reflect legislative requirements, professional and governing body standards and requirements, and good practice. A list of relevant policies is shown on page 2.

2. General Statement of Intent

The Council will:

- adopt a zero tolerance approach to abuse and will work to ensure that its policies and practices are consistent with agreed local multi-agency procedures and meet the organisations legal obligations
- contribute to partnership arrangements through the:
 - North Yorkshire Safeguarding Children Board
 - Hambleton and Richmondshire Children's Safeguarding Strategy Group
 - North Yorkshire Safeguarding Adults Board
 - Hambleton and Richmondshire Local Safeguarding Adults Group
 - District Lead Safeguarding Officers Group
 - Multi-Agency Public Protection Arrangements

- meet the requirements of the North Yorkshire Multi-Agency Safeguarding Adults and the North Yorkshire Safeguarding Children Board Policies and Procedures
- ensure that all allegation, disclosures or suspicions of abuse are dealt with appropriately and that where possible the person being abused is supported
- apply safer recruitment and selection practices that comply with Working Together 2015
- ensure that individuals working for the Council with access to children or adults at risk s undertake approved safeguarding training specific to the needs of their service – see appendix L for training requirements and levels
- ensure that all people delivering a service on behalf of the Council understand and accept their responsibility with regard to safeguarding and promoting the welfare of children and adults at risk s
- ensure that all employees, Members and others associated with the delivery of Council services are aware of the Safeguarding Policy and Procedure and that safeguarding is everyone’s responsibility (Working Together 2015)
- will provide appropriate awareness and training opportunities for staff, volunteers and Members to equip them to carry out their responsibilities effectively. This will include general awareness, service specific and specialist training as appropriate, and will link into the training framework developed through the North Yorkshire Safeguarding Boards
- co-operate with child death review process where these are linked to any area of the Council’s responsibility, in accordance with locally agreed arrangements

3. Roles and Responsibilities

To safeguard and protect the welfare of children and adults at risk in Hambleton, the following roles and responsibilities are identified:

The **Head of Service for Leisure and Communities** is the **Named Senior Officer** and will take corporate responsibility to ensure the Council’s Safeguarding arrangements are implemented.

The **Executive Director** is the **Deputy Named Senior Officer** and will ensure the Council fulfils its statutory duties, in accordance with the Council’s policy and procedures.

The **Named Senior Officer** will ensure that all allegations against staff are fully investigated and that the appropriate action is taken.

The **Named Senior Officer** will Chair a **Safeguarding Panel** to ensure policy and procedures are effective and to monitor action to safeguard and promote the welfare of children and adults at risk s across the council.

The Council’s **Management Team** will endorse and implement the Safeguarding Policy and Procedures and the Safeguarding Panels’ priorities and actions.

The **Named Senior Officer** will ensure that safer recruitment procedures are in line with this policy and that appropriate training for staff and Members is provided.

The **Communities Manager** is the **Designated Safeguarding Officer** responsible for safeguarding and promoting the welfare of children and adults at risk s across all council services.

/.continued on next page

The **Deputy Safeguarding Officers** will deputise in the absence of the Designated Safeguarding Officer.

The Council's **Safeguarding Panel** will be made up of representatives from key services with safeguarding responsibilities and will meet quarterly to develop, monitor and keep under review the Council's Safeguarding Policy. The Panel will also be responsible for ensuring corporate procedures and training are appropriate.

Heads of Service and **Service Managers** will monitor action to safeguard and promote the welfare of children and adults at risk s within their service and ensure that **ANY** safeguarding issues (or referrals / actions) are reported to the Designated Safeguarding Officer and/or their deputy. They will also ensure that staff receive the most appropriate **safeguarding training** for their role.

Case Officers are those staff in the Council who work with individuals or families and already refer to Social Care or the Police as a normal part of their job. Where these members of staff make referrals, (or have concerns about safeguarding) they still must inform the Designated Safeguarding Officer or their Deputy and keep any written records on the Council's Safeguarding File that is stored in the Chief Executive's office.

All members of staff, volunteers and Members will carry out their duties in a way that safeguards and promotes the welfare of children and adults at risk in line with this policy and their Codes of Conduct (Appendix C). They must also act in a way that protects them from wrongful allegations of abuse and bring matters of concern to the attention of the Designated Safeguarding Officer or their Deputy.

A full description of the role and responsibilities is at Appendix D.

4. Commissioned or Contracted Services and Facility Letting

Any contractor or sub-contractor, engaged by the Council in areas where workers are likely to come into contact with children, young people or adults at risk should have their own Safeguarding Policy or, failing this, must comply with the terms of this policy. This includes responsibility for ensuring that workers with the potential to come into contact with children, young people or adults at risk are subject to the necessary DBS checks. This applies to all contracts even those not requiring a formal tender.

Where facilities are let to external groups for use with children, young people or adults at risk when parents/carers are not present, the hirer will need to:

- Have membership of a National Governing Body (NGB) or similarly recognised body
- Have public liability insurance (£10 million minimum)
- Have a suitable safeguarding children, young people and adults at risk s policy or agree to work to Hambleton District Council's Safeguarding policy
- Have a register detailing medical information and special needs
- Ensure lead staff have valid Disclosure checks
- Do risk assessments for individual activities

5. Taxi Licensing

The Council, as the Licensing Authority, has a duty of care to children and adults at risk who use licensed vehicles within the district of Hambleton. The Council recognises that all children and vulnerable persons have a right to be safe and protected from abuse and harm. The Council will take all reasonable steps to ensure that the drivers and operators of taxis and private hire vehicles pose no threat to children or adults at risk.

The Council has the power to refuse, revoke or suspend licences after convictions for various offences or any other reasonable cause. A suspension or revocation can be given immediate effect where it appears in the interests of public safety.

The Council's Vehicle and Driver Licensing Policy determines its procedure for dealing with applications and makes provision to ensure that the safety of children and adults at risk is safeguarded.

For example:

- All applicants for hackney carriage and private hire driver licences are required to undertake a DBS check on first application and every 3 years thereafter;
- Persons with convictions for sexual offences involving children or of a child related nature or other very serious crime will not normally be issued with a licence;
- All licence holders must comply with the Council's "Code of Conduct". Any breaches of this code will be taken seriously and could result in the licence being suspended or revoked.

Any allegations made against licence holders suspected of inflicting harm on children will be reported to the Designated Safeguarding Officer or a Deputy Officer who will ensure that all the appropriate actions are taken in line with the Council's Safeguarding Policy both in regard to the subject of the alleged abuse and the perpetrator. A decision will also be made in relation to any necessary action to be taken against the licence, which could include suspension or revocation.

6. Photography, Film and Media

Photographs can be used as a means of identifying children and young people especially when they are accompanied with personal information. This information can make children vulnerable e.g. to an individual who may wish to groom that child for abuse. The content of an image can be adapted for inappropriate use and there is evidence of adapted material finding its way on to child pornography sites. Also photos of children who are adopted could indicate to the birth parent where the child has been placed.

The Council, in the delivery of its services, will ensure that all necessary steps are taken to protect children and young people from the inappropriate use of photographic images.

At any event run by the Council to which children or young people are invited or involved:

- Consent must be sought from parents/carers to photograph/video children and young people
- Consent forms are available from the Council's Communications Team
- Staff, Members and volunteers should be vigilant at all times regarding the use of cameras, camera phones or videos at events, which involve children and young people
- Event organisers will be responsible for ensuring that children and young people are informed that photographers may be in attendance at an event and ensure they get the necessary consent forms
- Where possible in publicising an event the Council will not use a child's image in conjunction with the name or personal details of the child. We will never publish personal details of a child or young person. We will only publish images of young people where we have prior permission
- Council Officers will ensure that consent/registration forms and images are stored safely.
- Council Officers will act on all concerns of any child, young person or carer regarding inappropriate use of photographic equipment/images

7. Monitoring and Review

The Council will review the Safeguarding Children and Adults at Risk Policy and Procedures at least every three years, or whenever there is a major change in the organisation or in relevant legislation or guidance.

1. How to report suspected abuse of a child

Every individual to whom this Policy applies has a responsibility to **Alert** the Designated Safeguarding Officer, or their Deputy of any concerns they have or actions they have taken (including **Referrals** to social care or the police) relating to children’s safeguarding. The Designated Safeguarding Officer, or their Deputy, has a responsibility to **Refer** any concerns to the appropriate referral agency.

Where staff are unable to refer directly, the Designated Safeguarding Officer must decide how the concerns should be communicated to Children’s Social Care or the Police.

In the majority of cases the District Council’s involvement in the procedure ends once a referral has been made.

Remember... it is not up to Hambleton District Council’s Officers to decide if abuse has taken place, that is the role of North Yorkshire’s Children’s Services, **BUT** it is up to us to report **ANY** concerns to the Designated Safeguarding Officer, Children’s Social Care or the Police.

We have a legal responsibility to respond to any issues that may concern us even if they don’t involve our staff or services.

2. Alerting and Referring – Officer Roles

Alerter	<p>Anyone who has contact with children and young people and hears disclosures or allegations, or has concerns about potential abuse or neglect, has a duty to pass their concerns on appropriately. Any Council Officer can be an Alerter.</p> <p>The Alerter may also be a service user or a member of the public. The Alerter also has a role in taking the necessary steps to address any immediate safety or protection needs.</p>
Referrer	<p>The Designated Safeguarding Officer, their Deputy - or an individual Case Officer where appropriate - are responsible for Referring concerns to the referral agencies (Police or Social Care). These Officers are the Council’s Referrers.</p> <p>Referrals made by a Case Officer must still be reported to the Designated Safeguarding Officer.</p> <p>Referrals may also be made directly by the service user, family or friends, or by a member of the public.</p>

3. Alerting Procedure – What steps should you take

Alerting is telling someone that you are aware or suspect that abuse has taken place, or that it may in the future. Everyone who works with children and young people has a duty to share their concerns, even if the child asks them not to. It is always good practice to inform the child or young person of this duty. **Any member of staff or the public** can be the **Alerter**.

A simple flow-chart outlining the Alert procedure is at Appendix F and links to the North Yorkshire County Council's Safeguarding Children Referral Form is detailed at Appendix J.

What should you do if a Child has talked to you about abuse?

Make a note immediately (using the safeguarding incident report form – available on HINT) of exactly what the child has said, what you said in reply, when the child spoke to you and what was happening immediately beforehand. Record names, places, dates and times of the events and when the record was made. For further guidance see Appendix H.

Alert the Designated Safeguarding Officer or their Deputy about your discussion **immediately** and give them your notes in an envelope marked **Private and Confidential – Addressee Only**.

Advice must be sought from Children's Social Care where there are concerns about a child going home to a potentially abusive or harmful situation. On a rare occasion it might be necessary for Children's Social Care and/or the Police to discuss putting into effect safety measures for the child so that they do not return home.

What should you do if you witness abuse?

If you witness abuse or abuse has just taken place the priorities will be to:

Ensure Safety:

The first priority is to ensure the safety and protection of the child or young person. In making the child (and others potentially at risk) safe it may be necessary to inform emergency services, call an ambulance if required. Also, take steps to ensure you, staff and other service users are safe.

Preserve Evidence:

Where there are suspicions that a crime may have taken place the Police should be contacted immediately and all physical, forensic and other evidence should not be contaminated.

Good Practice: Preserving forensic evidence:

- Disturbing a scene as little as possible, sealing off areas if possible
- Not removing the victim's clothing
- Discouraging washing/bathing
- Not handling items which may hold DNA evidence
- Putting any clothing which has been removed or any significant items given to you (may include weapons) in a safe dry place
- Not interviewing the victim or potential witnesses
- Not alerting the alleged perpetrator
- Making a note of your observations in relation to the condition and attitude of the people involved and any actions you have taken.

Record the Incident:

It is important that you write down everything you can recall about the incident as soon as possible. You should make detailed notes (using the safeguarding incident report form – available on HINT) regarding what actually took place, noting names, descriptions, location, dates/times and any other relevant details you can remember. You should be careful to separate fact from opinion. You should date and sign your note. To help you ensure you have recorded comprehensive information, you may wish to use the Safeguarding Children Referral Form as a guide www.safeguardingchildren.co.uk/section-5-procedures.html

Be aware that your record of the alert could be used as evidence in a range of procedures; disciplinary, criminal or at a Safeguarding Case Conference.

Good Practice - Recording:

- Any information given directly by the child or young person concerned should be listened to and recorded carefully, using the person's own words, clearly attributing the child's comment from your own observations or general descriptions
- Clarify the bare facts of the reported abuse or grounds for suspicion; do not ask leading questions e.g. suggesting names of who may have perpetrated abuse if the person does not disclose it
- If a child or young person makes an allegation to you asking that you keep it a secret, you should tell them that you will only tell the people who need to know but, that you are not able to keep the matter secret
- Record all factual evidence accurately
- Never prevent or persuade another person from raising concerns, suspicions or presenting evidence.
- Don't share any information about the incident without agreeing this with the Designated Safeguarding Officer and/or your line manager

Good Practice - Unclear situations:

If you are unsure as to whether a child has, is or is likely to suffer significant harm and/or an allegation has been made, you should:

- discuss your concerns with the **Designated Safeguarding Officer** or their Deputy who will seek advice from the Children's Social Care Manager.
- If your Designated Safeguarding Officer is unavailable, contact Social Care directly
- See appendix E for all safeguarding contacts

Remember... Suspicions should not be discussed with anyone other than those named above.

Good Practice - Talking to Parents/Carers:

In most cases...

- Be open and honest at the outset with parents/carers about child protection concerns and any action which the Council intends to take.
- Where a referral is to be made, all reasonable efforts should be made to inform parents/carers. However, an inability to inform parents/carers should not prevent a referral from being made.
- Don't think "what might happen if I make a referral?" – think "what might happen if I don't?"
- Consideration should be given to not informing them when a child expresses a wish that their parents are not informed at this stage

Alert the Appropriate Person

Alerters have a **duty** to share the information with the Designated Safeguarding Officer (or their deputy). You are not at liberty to keep concerns to yourself and you should never promise to keep secrets.

You should inform the Designated Safeguarding Officer (or a Deputy) as soon as possible on the same day about the incident. If you do not feel able to share the information with any of the Designated Officers, or another manager in the Council because you believe they are implicated or colluding with the alleged abuse, you should follow the Council's "Whistle-blowing Policy".

NB The welfare of the child is paramount and **anyone** can make a **referral** direct to North Yorkshire County Council Social Care if necessary – see section 4.

What Happens Next?

The referring officer may need you to help them complete the Safeguarding Children Referral Form www.safeguardingchildren.co.uk/section-5-procedures.html. Depending on the seriousness of the allegation, you may be invited to the initial Assessment meeting which will be convened by NYCC's Children's Social Care. In the event that you are required to attend you will receive support from your line manager and the Designated Safeguarding Officer.

4. Referring Procedure

Referring is the responsibility of any of the nominated officers who have either received information from an Alerter, or who have their own safeguarding concerns.

Hambleton District Council has identified the following Officers to make referrals: the **Designated Safeguarding Officer**, their **Deputies** and any **Case Officer** directly involved with a client. **Case Officers** include **Housing Officers, Leisure Centre Managers, Communities Development Officers, Leisure Centre Duty Officers, Environmental Health staff, Community Safety staff** and **Taxi-Licensing staff** on the condition that they have completed the Safeguarding Children Level 1 training.

The referral agency (Social Care) or the Police (if there is a suspicion that a crime has been committed) will record relevant information from the **Referrer** about the alleged incident and its context.

If the alleged victim is already receiving care services this should not preclude a Child Protection Referral where concerns are raised or abuse is disclosed.

Where the alleged incident identifies a worker(s) as the alleged perpetrator of the abuse, information that can confirm that the alleged abuse could have taken place should be gathered by the Referrer and shared with the referral agency. This could include checking staff rotas and incident reports, providing information about past incidents or concerns from internal records, and recording injuries on body charts. This is primarily a paper exercise and **should not** involve conducting interviews. See the "Allegations Against Staff" Section 5 – page 23.

A simple flow-chart outlining the Referral process is at Appendix G.

Making a Referral to Children’s Social Care

Once the Designated Safeguarding Officer (or their Deputy or Case Officer) has gathered the relevant information from the **alerter**, they have a **duty** to make a referral to the relevant Children’s Social Care Department.

Where concerns that a child is suffering, or likely to suffer, significant harm are received by the Designated Safeguarding Officer a **referral** should be made **immediately**. Referrals should be made by telephone, supported by a written referral completed and submitted within 24 hours.

The Designated Safeguarding Officer (or Case Officer where appropriate) should contact Children’s Social Care through the NYCC Customer Relations Unit or the Emergency Duty Team.

All referrals must be reported by phone to Children’s Social Care and followed up in writing within 24 hours of an Alert being received.

Good Practice: When making a referral:

- Clearly identify themselves as acting on behalf of Hambleton District Council and provide contact details
- Explain to the call taker that you wish to make a “Safeguarding Children Referral”
- Provide as much basic family information as possible, clearly stating the name of the child, the parents/carers and any other children known to be in the household, the dates of birth and addresses and any previous addresses known
- Give details of any special needs or communication needs of either the child or any family member
- State why they feel the child is suffering, or is likely to suffer, significant harm
- Share their knowledge and involvement of the child(ren) and family
- Share their knowledge of any other agency involved
- Indicate the child’s parent/carer’s knowledge of the referral and their expectations
- Follow the referral up in writing within 24 hours.

Prior to making a referral, the referrer and alerter should gather as much information as possible about the allegation by completing the Safeguarding Children Referral Form – Appendix I.

If, in completing the form, the referrer does not have access to all the required information this should **NOT** delay making the referral.

A simple flow-chart outlining the Referral process is at Appendix G.

What happens next?

The Safeguarding Manager at NYCC Social Care is responsible for deciding the way forward with the referral made. The Alerter, Referrer or Case Officer may be required to attend an assessment meeting and will be supported by their manager in doing so.

The Referrer is entitled to receive an understanding from the Children’s Social Care team of what will happen next, be given the name of a contact person within Children’s Social Care who will be dealing with the referral and to receive information on the outcome of the referral within 7 days.

Sometimes, following a referral, Council staff may be involved in an assessment meeting and management process led by Children's Social Care, in line with North Yorkshire Safeguarding Children's Board procedures where other agencies will be present. In addition where there is a criminal investigation staff may be required to co-operate with the Police. In all circumstances staff will receive appropriate support from their manager and the Designated Safeguarding Officer will provide support and guidance where required/appropriate.

Good Practice - Referrals

- If there has been a deliberate injury or where there are concerns about the child's safety the parent/carer should not be contacted before first consulting with Children's Social Care
- Where emergency medical attention is required it should be sought immediately. The Referrer should inform the doctor of any suspicion of abuse
- If a referral is made without the parent's knowledge and non-urgent medical treatment is required, Children's Social Care should be informed
- If appropriate the parent/carer should be encouraged to seek help from Children's Social Care prior to a referral being made. If they fail to do so in situations of real concern the Designated Safeguarding Officer or Case Officer will contact Children's Social Care directly for advice
- In the event of allegations of sexual abuse the designated Safeguarding Officer will contact Children's Social Care or the Police Child Abuse Investigation Team directly. The Referrer should NOT speak to the parents
- Under no circumstances should the Designated Safeguarding Officer, or anyone else acting for the Council, attempt to carry out any investigation into allegations or suspicions of abuse
- The role of the Designated Safeguarding Officer is to collate the exact details of the allegations or suspicion and to provide this information to the child protection agencies who will investigate the matter

Good Practice - Confidentiality

- The identity, information and/or suspicions about the welfare of a child should be treated in strictest confidence and discussed only with the Council's nominated officers, appropriate Children's Social Care Officers or the Police. In sharing information with Children's Social Care or the Police the welfare of the child is paramount and overrides all other considerations regarding the sharing of information
- Any confidential notes, records, written complaints or allegations, should be forwarded as soon as possible to the Designated Safeguarding Officer in a sealed envelope marked "**Private and Confidential (Addressee Only)**"
- The Designated Safeguarding Officer is responsible for maintaining accurate secure written records of all concerns received, and action taken in response
- The Named Senior Officer is responsible for keeping secure written records of all allegations of abuse made against staff, Members, volunteers, contractors and licensees, and details of management action taken

1. How to report suspected abuse of an adult at risk

Every individual to whom this policy applies has a responsibility to **Alert** the Designated Safeguarding Officer, or their Deputy, of any concerns they have or actions they have taken (including **Referrals** to social care or the police) relating to safeguarding following an agreed multi-agency procedure. This can be found at Appendix F. The Designated Safeguarding Officer, or their Deputy, has a responsibility to **Refer** any concerns to the appropriate referral agency, following an agreed multi-agency procedure. This can be found at Appendix G.

In the majority of cases the District Council’s involvement in the procedure ends once a referral has been made.

Remember... it is not up to Hambleton District Council’s Officers to decide if abuse has taken place, that is the role of North Yorkshire’s Adult Social Care Services, **BUT** it is up to us to report **ANY** concerns to the Designated Safeguarding Officer, Adult Social Care or the Police.

We have a legal responsibility to respond to any issues that may concern us even if they don’t involve our staff or services.

2. Alerting and Referring – Officer Roles

Alerter	<p>Anyone who has contact with adults at risk and hears disclosures or allegations, or has concerns about potential abuse or neglect, has a duty to pass their concerns on appropriately. Any Council Officer can be an Alerter. The Alerter may also be a service user or a member of the public.</p> <p>The Alerter also has a role in taking the necessary steps to address any immediate safety or protection needs.</p>
Referrer	<p>The Designated Safeguarding Officer, their Deputy - or an individual Case Officer where appropriate - are responsible for Referring concerns to the referral agencies (Police or Social Care). These Officers are the Council’s Referrers.</p> <p>Referrals made by a Case Officer must still be reported to the Designated Safeguarding Officer.</p> <p>Referrals may also be made directly by the service user, family or friends, or by a member of the public.</p>

3. Alerting Procedure – What step should you take?

Alerting is telling someone that you are aware or suspect that abuse has taken place, or that it may in the future. Everyone who works with **adults at risk** has a duty to share their concerns, even if the adult at risk asks them not to. It is always good practice to inform adults at risk of this duty. **Any member of staff** can be the alerter.

A simple flow-chart outlining the Alert procedure is at Appendix F.

What should you do if you witness abuse?

If you witness abuse or abuse has just taken place the priorities will be to:

Ensure Safety:

The first priority is to ensure the safety and protection of the adult at risk. In making the person (and others potentially at risk) safe it may be necessary to inform emergency services, call the Police or an ambulance if required. Also, take steps to ensure you, staff and other service users are safe.

Preserve Evidence:

Where there are suspicions that a crime may have taken place the Police should be contacted immediately and all physical, forensic and other evidence should not be contaminated.

Good Practice: Preserving forensic evidence:

- Disturbing a scene as little as possible, sealing off areas if possible
- Not removing the victim's clothing
- Discouraging washing/bathing
- Not handling items which may hold DNA evidence
- Putting any clothing which has been removed or any significant items given to you (may include weapons) in a safe dry place
- Not interviewing the victim or potential witnesses
- Not alerting the alleged perpetrator
- Making a note of your observations in relation to the condition and attitude of the people involved and any actions you have taken.

Record the Incident:

It is important that you write down everything you can recall about the incident (available on HINT) as soon as possible using the safeguarding incident report form.

You should make detailed notes regarding what actually took place, noting names, descriptions, location, dates/times and any other relevant details you can remember. You should be careful to separate fact from opinion. You should date and sign your notes. To help you ensure you have recorded comprehensive information, you may wish to use the Inter-Agency Safeguarding Adults Alert/Referral Form - www.northyorks.gov.uk/article/24309/Safeguarding-vulnerable-adults

Be aware that your record of the alert could be used as evidence in a range of procedures; disciplinary, criminal or at a Safeguarding Case Conference.

Good Practice - Recording:

- Any information given directly by the adult concerned should be listened to and recorded carefully, using the person's own words
- Clarify the bare facts of the reported abuse or grounds for suspicion; do not ask leading questions e.g. suggesting names of who may have perpetrated abuse if the person does not disclose it
- If a adults at risk makes an allegation to you asking that you keep it confidential, you should inform the person that you will respect their right to confidentiality as far as you are able to, but, that you are not able to keep the matter secret
- Record all factual evidence accurately
- Never prevent or persuade another person from raising concerns, suspicions or presenting evidence.
- Don't share any information about the incident without agreeing this with the Designated Safeguarding Officer and/or your line manager

Alert the Appropriate Person

Alerters have a **duty** to share the information with the Designated Safeguarding Officer (or their deputy). You are not at liberty to keep concerns to yourself and you should never promise to keep secrets.

You should inform the Designated Safeguarding Officer (or a Deputy) as soon as possible on the same day about the incident.

If you do not feel able to share the information with any of the Designated Officers, or another manager in the Council because you believe they are implicated or colluding with the alleged abuse, you should follow the Council's "Whistle-blowing Policy".

What Happens Next?

The referring officer may need you to help them complete the Inter-Agency Safeguarding Adults Alert/Referral Form – www.northyorks.gov.uk/article/24309/Safeguarding-vulnerable-adults. Depending on the seriousness of the allegation, you may be invited to the initial Assessment meeting which will be convened by NYCC's Adult Social Care Department. In the event that you are required to attend you will receive support from the Designated Safeguarding Officer.

4. Referring Procedure

Referring is the responsibility of any of the nominated Officers who have either received information from an Alerter, or who have their own safeguarding concerns.

Hambleton District Council has nominated the following Officers to make referrals: the **Designated Safeguarding Officer**, their **Deputies** and any **Case Officer** directly involved with a client. **Case Officers** include **Housing Officers, Leisure Centre Managers, Leisure Centre Duty Officers, Environmental Health staff, Community Safety staff** and **Taxi-Licensing staff** on the condition that they have completed the Safeguarding Adults Level 1 training.

The referral agency (Social Care) or the Police (if there is a suspicion that a crime has been committed will record relevant information from the **Referrer** about the alleged incident and its context.

If the alleged victim is already receiving care services this should not preclude a Safeguarding Adults referral where concerns are raised or abuse is disclosed.

Where an adult at risk is alleged to be a perpetrator of abuse, a referral should also be made.

Where the alleged incident identifies a worker(s) as the alleged perpetrator of the abuse, information that can confirm that the alleged abuse could have taken place should be gathered by the Referrer and shared with the referral agency. This could include checking staff rotas and incident reports, providing information about past incidents or concerns from internal records, and recording injuries on body charts. This is primarily a paper exercise and **should not** involve conducting interviews. See the “Allegations Against Staff Procedure”.

A simple flow-chart outlining the Referral process is at Appendix G.

Making a Referral to Adult Social Care

Once the Designated Safeguarding Officer (or their Deputy or Case Officer) has gathered the relevant information and established an allegation of abuse, they have a duty to make a referral to the Adult Social Care Department – see appendix E for safeguarding contact.

Prior to making a referral, the referrer should gather as much information as possible about the allegation by completing the Inter-Agency Safeguarding Adults Alert/Referral Form – Appendix J.

If, in completing the form, the Referrer does not have access to all the required information this should **NOT** delay making the referral.

All referrals must be reported by phone to Adult’s Social Care and followed up in writing within 24 hours of an Alert being received.

What happens next?

The Referrer is entitled to receive an understanding from the Adult’s Social Care team of what will happen next, be given the name of a contact person within Adult’s Social Care who will be dealing with the referral and to receive information on the outcome of the referral within 7 days.

Sometimes, following a referral, Council staff may be involved in an assessment meeting and management process led by Adults’ Social Care, in line with North Yorkshire Adult’s Board procedures where other agencies will be present. In addition where there is a criminal investigation staff may be required to co-operate with the Police. In all circumstances staff will receive appropriate support from their manager and the Designated Safeguarding Officer will provide support and guidance where required/appropriate.

Where an allegation of abuse is made against a member of staff, the relevant disciplinary procedures may be invoked as well as reporting the case to the appropriate authorities. Any investigation taken under Local Safeguarding Children and Adults at Risk Policies & Procedures will take precedence over the Council's internal disciplinary procedures.

1. Who do these procedures apply to?

These procedures apply to staff, volunteers and Members of Hambleton District Council as well as others that may not have a direct employment relationship with us but where we will need to consider whether to continue to use the person's services, or to approve or licence them as suitable to work with children and adults at risk.

2. Scope of Allegations to which these Procedures Apply

These procedures apply to a wide range of allegations, including those that indicate a person may be unsuitable to work with children in their present position, or in any capacity. They are therefore to be followed in respect of any allegation about a person who works with children or adults at risk and has:

- Behaved in a way that has harmed, or may have harmed, a child or adult at risk ;
- Possibly committed a criminal offence against, or related to, a child or adult at risk ;
- Behaved towards a child, children or adult(s) at risk in a way that indicates they are unsuitable to work with them

3. What to do if you have concerns about a colleague

Where you have concerns about a colleague, you should report these concerns to the Council's **Named Senior Officer, Head of Service for Leisure and Communities**, or their **Deputy Named Senior Officer, the Executive Director** – see Appendix E for the current contact information – who will manage the allegation in line with agreed North Yorkshire multi-agency procedures.

All allegations against staff should be reported to the Named Senior Officer for Safeguarding. This person is the Council's designated officer for the management of allegations against staff and it is they who will liaise directly with the appropriate agencies.

Allegations against Councillors

Where an allegation is made against a Councillor this should be referred in the first instance to the Named Senior Officer who will then engage the Council's Monitoring Officer who has responsibility to address Member code of conduct related issues.

4. What happens if an allegation is made?

Where there are allegations of abuse or concerns about poor practice of an employee or Member the Council's Named Senior Officer (Human Resources Manager) will refer the allegation to the **NYCC Local Authority Designated Officer (LADO)** (for children) or the **Designated Adult Safeguarding Manager (DASM)** (for adults at risk) for discussion.

The purpose of this discussion is to consider the nature, content and context of the allegation and to agree a course of action, including sharing additional information which may be relevant, such as previous history, whether the child/family has made similar allegations in the past.

The discussion will lead to a decision about what further action, if any, is necessary. This may include one or more of the following:

1. Child/Adult at Risk Safeguarding Investigation – this will assess whether the child/adult is in need of protection or in need of services (externally led by NYCC Social Care Services)
2. Criminal Investigation (externally led by the North Yorkshire Police)
3. A disciplinary investigation (using the Council's disciplinary procedures)
4. No further action.

In the first two instances, the Council will not be involved in any form of investigation unless requested to do so by the Social Care Services or the Police.

Where the LADO/DASM considers that a criminal offence may have been committed they will refer the matter to the Police for investigation. Where it is decided that a criminal offence has NOT been committed the matter will be dealt with through the Council's disciplinary procedures.

Suspension from Duties

The Named Senior Officer should consider suspension of the employee pending the outcome of the investigation. Decisions not to suspend an employee following an allegation of abuse must be fully documented and endorsed separately by an independent senior officer from within the **employing agency** in consultation with the LADO or Safeguarding Manager (NYCC Social Care).

Depending on the outcome of the investigation, the Council will assess the appropriateness of the staff member returning to work in their previous environment. A decision to withdraw permission for the employee to work with vulnerable groups may lead to the Council having a legal duty to report the person to the Disclosure and Barring Authority. The LADO will be informed of the outcome of any investigation.

5. Internal Procedure

The Council's standard procedure for disciplinary investigations will be used. Consideration will be given to suspension on full pay pending the outcome of the investigation. The Council will assess each individual allegation on its own, taking into account the findings of any criminal investigation and respond to the outcome of the investigation in line with Council policy and procedures.

Interviewing the alleged victim of abuse as part of the disciplinary process should be avoided as far as possible and should never be undertaken without the agreement of the Safeguarding Manager in Social Care. The written reports and facts established should be made available to those carrying out the disciplinary process, in line with the North Yorkshire Information Sharing Protocol.

6. Support for Staff

It can be very worrying to have concerns about a person's safety or welfare that relate to the conduct of a colleague. The Council recognises that this can involve additional stress for those reporting concerns. The Council will ensure that support mechanisms are in place and offered to anyone who raises a concern in order to ensure that they are confident that these concerns will be dealt with appropriately. These include confidentiality guidelines and access to counselling services.

If an allegation is made towards another member of staff, full support will be given in line with the Council's Whistle-blowing policy.

Equally, support will be given to a member of staff who is the subject of an allegation. The member of staff will be informed about the concerns or allegations as soon as possible and give an explanation of the likely course of action – unless there is an objection to this from the Police or Social Care.

All members of staff involved in a disclosure will be offered support through the Council's Occupational Health programme and will be offered access to counselling services.

DRAFT

1. Good recording keeping

Good record keeping is essential when dealing with any safeguarding concern, disclosure or referral.

As much information as possible must be recorded using the safeguarding incident report form (available on HINT) or on a separate piece of paper, or a combination of both – as follows:

- Describe the circumstances in which you were told about or witnessed an incident, noting the setting and anyone else who was there at the time of disclosure or incident. Try to record what the person said, using their actual words and phrases
- Record whether consent to inform others has or has not been given (irrespective, it is an Alerter's responsibility to report alleged or suspected abuse)
- Details of who the incident was reported to, including the date and time
- Sign, date and time your report
- Give everything to your manager or Designated Safeguarding Officer – it will form part of the information collected (and could be used for legal actions at a later stage)
- Retain copies on case files if this is a requirement of your service making sure this is in line with the Information Commissioner's Office data protection principles (see 3 for more details)

All records – written or typed – must be printed off, signed and dated and hand delivered, in a **strictly confidential envelope** to the Designated Safeguarding Officer. All records are kept centrally in a file in the Chief Executive's office.

The following tips will help you with your recording responsibilities:

- Write your report straightaway when the details are fresh in your mind, using any initial notes you have made
- Separate out factual information from an expression of opinion
- NEVER record full details on a document that remains with the person, or the alleged abuser may have access to
- Make sure your writing is legible, using black ink
- Do not use Tippex or anything like it. If you make a mistake, cross it out, initial and date it, then rewrite, and don't leave gaps to avoid documents being tampered with

2. Data protection

All data must be kept in line with Information Commissioner's Office 8 data protection principles:

1. Personal information must be fairly and lawfully processed
2. Personal information must be processed for limited purposes
3. Personal information must be adequate, relevant and not excessive
4. Personal information must be accurate and up to date
5. Personal information must not be kept for longer than is necessary
6. Personal information must be processed in line with the data subjects' rights
7. Personal information must be secure
8. Personal information must not be transferred to other countries without adequate protection

DRAFT

DEFINITIONS OF ABUSE

PHYSICAL ABUSE

Physical abuse may involve hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating, harassing, bullying or otherwise causing physical harm. Physical harm may also be caused when a parent/carer fabricates the symptoms of, or deliberately induces, illness in a child or adult at risk.

Possible indicators of physical abuse:

- Unexplained falls or minor injuries
- Unexplained bruising
- Unexplained burns in unusual locations or unusual type
- Unexplained fractures to any part of the body
- Unexplained lacerations or abrasions
- Slap, kick, pinch or finger marks
- Injuries/bruises similar shape to an object
- Untreated medical problems
- Weight loss – due to malnutrition or dehydration; complaints of hunger
- Appearing over medicated.

PSYCHOLOGICAL OR EMOTIONAL ABUSE

Psychological or emotional abuse is the persistent emotional maltreatment of a child or adult at risk such as to cause severe and persistent effects on emotional development or health. It could include threats of harm or abandonment, forced marriage, deprivation of contact, humiliation, blaming, controlling, intimidation, coercion, harassment, bullying, verbal abuse or withdrawal from services.

Possible indicators of psychological or physical abuse:

- Ambivalence about the parent or carer
- Fearfulness expressed in the eyes; avoids eye contact, flinching when approached
- Deference
- Overtly affectionate behaviour toward the alleged perpetrator
- Insomnia or need for excessive sleep
- Change in appetite
- Unusual weight gain/loss
- Tearfulness
- Unexplained paranoia
- Low self-esteem
- Excessive fears
- Confusion
- Agitation

SEXUAL ABUSE

Sexual abuse involves forcing or enticing a child, young person or adult at risk to take part in sexual activities, including prostitution, whether or not they are aware of what is happening. The activities may involve physical contact, including penetrative (e.g. rape, buggery or oral sex) or non-penetrative acts. Non-contact sexual abuse includes abuse through sexual exploitation, looking, pornographic photography, indecent exposure, harassment, unwanted teasing or innuendo.

Penetrative sex where one of the partners is under the age of 16 is illegal, although prosecution of similar age, consenting partners is not usual. However, where a child is under the age of 13 it is classified as rape under Section 5 Sexual Offences Act 2003.

Possible indicators of sexual abuse:

- A sudden change in usual behaviour
- Withdrawal, choosing to spend the majority of time alone
- Unusually overt sexual behaviour / language by child or adult at risk
- Self-inflicted injury
- Difficulty in walking/sitting

- Torn, stained, bloody underclothes
- Pain or itching, bruising or bleeding in the genital area
- Sexually transmitted urinary tract/vaginal infections
- Bruising to thighs and upper arms
- Frequent infections
- Pregnancy in person not able to consent.

NEGLECT

Neglect is the persistent failure to meet basic physical and/or psychological needs, likely to result in the serious impairment of health or development. Neglect may occur during pregnancy as a result of maternal substance abuse. Neglect may involve a parent or carer failing to:

- Provide adequate food, clothing and shelter (including exclusion from home or abandonment);
- Protect a child or adult at risk from physical and emotional harm or danger;
- Ensure adequate supervision (including the use of inadequate care-givers);
- Ensure access to appropriate treatment.

It may also include neglect of, or unresponsiveness to, a child or adults at risk 's basic emotional needs. Neglect or "acts of omission" include ignoring medical or physical care needs, failure to provide access to appropriate health, social care or educational services, the withholding of the necessities of life, such as medication, adequate nutrition and heating.

Possible indicators of neglect:

- Poor condition of accommodation
- Inadequate heating/lighting
- Physical condition of person is poor, e.g. ulcers, sores, dirty, lice infestations
- Clothing in poor condition, e.g. dirty, wet, torn
- Malnutrition
- Failure to give prescribed medication or medical care
- Failure to ensure privacy and dignity.

FINANCIAL OR MATERIAL ABUSE – ADULTS AT RISK

Financial abuse includes theft, fraud, exploitation, pressure in connection with wills, cold-calling, property or inheritance or financial transactions, or the misuse or misappropriation of property.

Possible indicators of financial abuse:

- Unexplained or sudden inability to pay bills
- Unexplained or sudden withdrawal of money from accounts
- Person lacks belongings
- Special interest by family members or carers in the persons assets or finances
- Power of attorney obtained when an adult at risk is not able to understand
- Recent changes in deeds or title of property
- High levels of expenditure with no evidence of benefit
- Personal items going missing.

DISCRIMINATORY ABUSE

Abuse may be targeted at a perceived vulnerability or on the basis of prejudice including racism, sexism, or that based on a person's disability or sexuality. It can take other forms of abuse such as harassment, slurs or similar treatment.

Possible indicators of discriminatory abuse:

- Hate mail
- Verbal or physical abuse
- Criminal damage to property.

ORGANISATIONAL ABUSE

Organisational abuse can be different from other forms because it is about who abuses and how that abuse comes about. Organisational abuse can take any of the other forms.

Possible indicators of organisational abuse:

- May be reflected in enforced schedule of activities, the limiting of personal freedom, the control of finances, lack of adequate clothing or food, poor personal hygiene, lack of stimulating activities, low quality diet
- Organisations may include residential or nursing homes, schools, boarding schools, hospitals, day centres, and children's homes.

DOMESTIC ABUSE

Domestic abuse occurs in a home environment and includes psychological, physical, sexual, financial, emotional abuse and so called 'honour' based violence.

Possible indicators of domestic abuse

- Family members / carers showing signs of controlling behaviour
- Physical injuries
- Criminal damage to property
- Personal belongings going missing

SELF-NEGLECT

Self-neglect covers a wide range of behaviour of neglecting to care for one's personal hygiene, health or surroundings.

Possible indicators of self-neglect:

- Hoarding
- Self-harm
- Poor hygiene

MODERN SLAVERY

Modern slavery encompasses slavery, human trafficking, forced labour and domestic servitude. Traffickers and slave masters use whatever means they have at their disposal to coerce, deceive and force individuals into a life of abuse, servitude and inhumane treatment.

Possible indicators of modern slavery:

- Poor hygiene / dirty clothing
- Not in receipt of their passport
- Withdrawn behaviour
- Bedding in outbuildings / cellars / unused rooms

PREVENT agenda: exploitation by radicalisers who promote violence

In addition to abuse, children young people or adults at risk may be susceptible to exploitation into violent extremism by radicalisers. Violent extremists often use a persuasive rationale and charismatic individuals to attract people to their cause. The aim is to attract people to their reasoning, inspire new recruits and embed their extreme views and persuade vulnerable individuals of the legitimacy of their cause. There are a number of factors that may make the individual susceptible to exploitation by violent extremists, such as identity or personal crisis, particular personal circumstances, unemployment or underemployment and criminality. None of these factors should be considered in isolation but in conjunction with the particular circumstances of the individual.

The Home Office leads on the anti-terrorism strategy and PREVENT is part of it, aiming to stop people becoming terrorists or supporting violent extremism. The police should be the initial point of contact in relation to such concerns. A safeguarding adult alert will also be required where the person is an adult at risk.

LEGISLATIVE FRAMEWORK

Children Act 1989 places two specific duties on District Councils to co-operate in the interests of children in need.

Section 17(10) states that a child shall be taken to be in need if:

- a. He/her is unlikely to achieve or maintain, or to have the opportunity of achieving or maintaining, a reasonable standard of health or development without the provision for him/her of services by a local authority under this Part.
- b. His/her health or development is likely to be significantly impaired, or further impaired, without the provision for him/her of such services, or
- c. He/she is disabled.

Section 27 provides that a Children's Services Authority may request help from any local authority in exercising the local authority's functions under Part 3 of the Act. Part 3 places a duty on local authorities to provide support and services for children in need. The authority whose help is requested in these circumstances has a duty to comply with the request, provided it is compatible with its other duties and functions.

Section 47 places a duty on any Local Authority to help another Local Authority (i.e. Children's Services Authority) with its enquiries in cases where there is reasonable cause to suspect that a child is suffering, or is likely to suffer, significant harm.

Children Act 2004

Section 10 requires each Local Authority (i.e. Children's Services Authority) to make arrangements to promote co-operation between the Authority, each of the Authority's relevant partners (including District Councils) and such other persons or bodies working with children in the Local Authority area as the Authority considers appropriate. The arrangements are to be made with a view to improving the wellbeing of children in the Authority's area that includes protection from harm or neglect alongside other outcomes. This section is the legislative basis for Children's Trust arrangements.

Section 11 requires a range of organisations (including District Councils) to make arrangements for ensuring that their functions, and services provided on their behalf, are discharged with regard to the need to safeguard and promote the welfare of children.

Section 13 requires each Children's Services Authority to establish a Local Safeguarding Children Board. It also requires a range of organisations (including District Councils) to take part in Local Safeguarding Children Boards.

Care Act 2014

Working Together 2015

No Secrets 2000

Standards in Safeguarding Adults 2005

CODE OF CONDUCT FOR SAFEGUARDING

These provisions apply to all Members and Officers acting in their professional capacity on behalf of Hambleton District Council.

DO

- Treat all children and adults at risk fairly and with respect
- Be aware of the procedures for reporting concerns and how to contact the Designated or Deputy Safeguarding Officers
- Be aware that physical contact with a child or adult at risk may be misinterpreted. There may be occasions when this is unavoidable, such as comfort at times of distress, or physical touch in sport. In all such cases contact should only take place with the consent of the child or adult at risk and you should inform the Designated Safeguarding Officer or your Line Manager of the circumstances
- Respect the right of a child or adult at risk to personal privacy
- Make others (for example your line manager/the Designated Safeguarding Manager) aware if you find yourself the subject of inappropriate affection or attention from a child or adult at risk
- Report to the Designated or Deputy Safeguarding Officer any safeguarding concerns including allegations or suspicions of abuse.

DO NOT

- Spend time alone with children or adults at risk, away from others. Meetings with individuals should be avoided or take place within sight of others. If privacy is needed, the door should remain open and other staff or volunteers should be aware of the meeting
- Take children or adults at risk alone in a car, however short the journey. Where this is unavoidable it should be with full knowledge and consent of the parents/carer and the manager responsible for the service/activity
- Engage with children, young people or adults at risk via internet chatrooms; instant messaging services e.g. MSN messenger; social networking sites such as Facebook or MMS/SMS services (mobile phone texting)
- Meet children or adults at risk outside of organised activities, unless it is with the knowledge and written consent of the parents/carer and the manager responsible for the service/activity
- Start an investigation or question anyone after an allegation or concern regarding abuse has been raised. You should just record the facts and report these to the Designated or Deputy Safeguarding Officer
- Allow any allegations made to go without being reported and addressed, or either trivialise or exaggerate abuse issues
- Make promises to keep any disclosure confidential from relevant authorities
- Show favouritism to any one, or threaten/carry out any form of physical punishment.

NEVER

- Initiate or engage in sexually provocative conversations or activity
- Allow the use of inappropriate language to go unchallenged
- Do things of a personal and intimate nature that individuals can do for themselves.

COUNCIL'S SAFEGUARDING ROLES AND RESPONSIBILITIES

Chief Executive	<ul style="list-style-type: none"> Ensures the Council fulfils its statutory duties
Management Team	<ul style="list-style-type: none"> Endorses Safeguarding Arrangements Agrees Corporate Safeguarding priorities and actions
Named Senior Officer: Head of Service (Leisure and Communities)	<ul style="list-style-type: none"> Ensures Safeguarding Arrangements are implemented Acts as Named Senior Manager for allegations of abuse against staff and volunteers Acts as Lead Officer in respect of the Multi-Agency Public Protection Arrangements
Designated Safeguarding Officer: Communities Manager Deputies: Housing options Team Leader Human Resources Manager	<ul style="list-style-type: none"> Is the main (but not the only) point of contact within Hambleton District Council for referring concerns to Social Care and/or appropriate agencies Ensures details of all allegations, suspicions or concerns are collected and passes on or to be informed about any referrals made Ensures that appropriate action is taken in response to concerns raised, and that lines of responsibility are clear Seeks advice from, and liaises with, agencies where required Makes appropriate referral to agencies and ensures referrals are followed up Ensures the Council's Safeguarding Policy is followed for all safeguarding concerns, allegation or suspicions Refers any allegation of abuse against staff, Members or volunteers to the Head of Service (Leisure and Communities or in their absence the Director (Leisure and Customer Service) Ensures that accurate and secure records are kept of all safeguarding concerns, allegations or suspicions, including completion and collation of all forms and notes Provides support and guidance to staff and volunteers where required Attends the Council's Safeguarding Panel on a regular basis Represents the Council on local Safeguarding Forums and ensures appropriate links to the NY Children and Adult Safeguarding Boards
Case Officers	<ul style="list-style-type: none"> Makes referrals direct to Social Care as a normal part of their job Informs the Designated Safeguarding Officer or their Deputy of the referral and submits any written records to be retained on the Council's safeguarding file
Safeguarding Panel	<ul style="list-style-type: none"> Develops, monitors and keeps under review the Council's Safeguarding policies and procedures Ensures corporate procedures and training are appropriate, compliant and effective Reports to Management Team and/or Heads of Service
Human Resources Manager	<ul style="list-style-type: none"> Acts as Named Senior Officer in relation to allegations of abuse against staff and volunteers Ensures the Council has a Safer Recruitment policy and procedure in place Ensures the Council has the appropriate training plans in place
Heads of Service Section Heads	<ul style="list-style-type: none"> Monitors action to safeguard and promote welfare of children and adults at risk s within their areas of responsibility Ensures delivery of safe services and safe working practices Ensures staff receive the appropriate training commensurate with their role and monitors requirements on a regular basis through the appraisal process
All those involved in developing and delivering services	<ul style="list-style-type: none"> Deliver services with regard to safeguarding and promoting the welfare of children and adults at risk Raise any safeguarding issues, concerns or allegations through the Safeguarding Arrangements

SAFEGUARDING CONTACTS**Named Senior Officer**

Head of Service (Leisure and Communities)

Steven Lister

01609 767033

Steven.lister@hambleton.gov.uk**Deputy Senior Officer**

Executive Director

Dave Goodwin

01609 767147

Dave.goodwin@hambleton.gov.uk**Designated Safeguarding Officer**

Communities Manager

Lisa Wilson

01609 767149

Lisa.wilson@hambleton.gov.uk**Deputy Designated Safeguarding Officers**

Housing Options Team Leader

Alison Morton

01609 767177

Alison.morton@hambleton.gov.uk**Human Resources Manager**

Lynne Halls

Tel: 01609 767184

Email: lynne.halls@hambleton.gov.uk**North Yorkshire County Council Social Care (Children and Adults)**

Customer Services

01609 780780

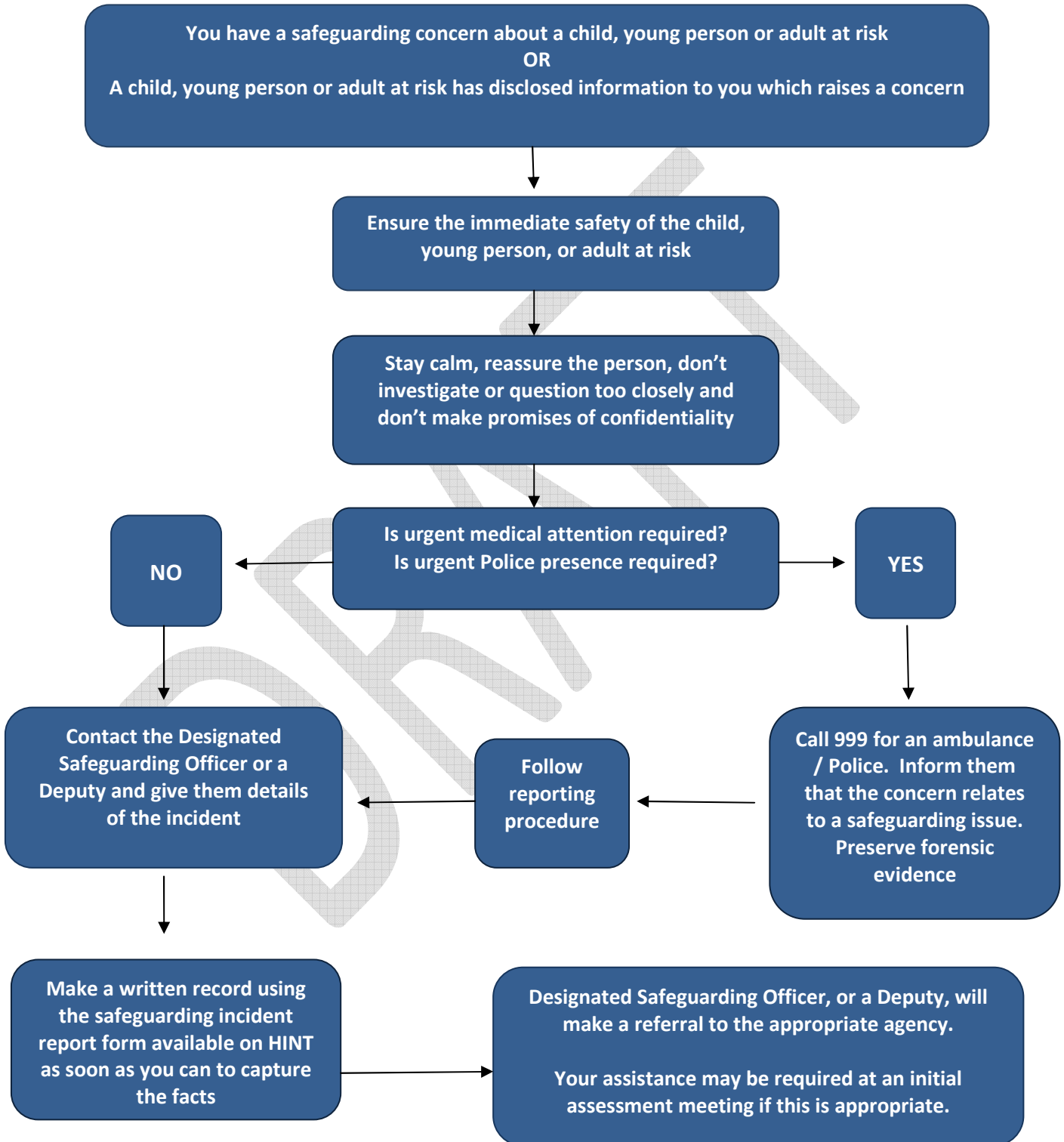
Social.care@northyorks.gov.uk or social.care@northyorks.gcsx.gov.uk**North Yorkshire Police**

Emergency - 999

Non-Emergency – 101

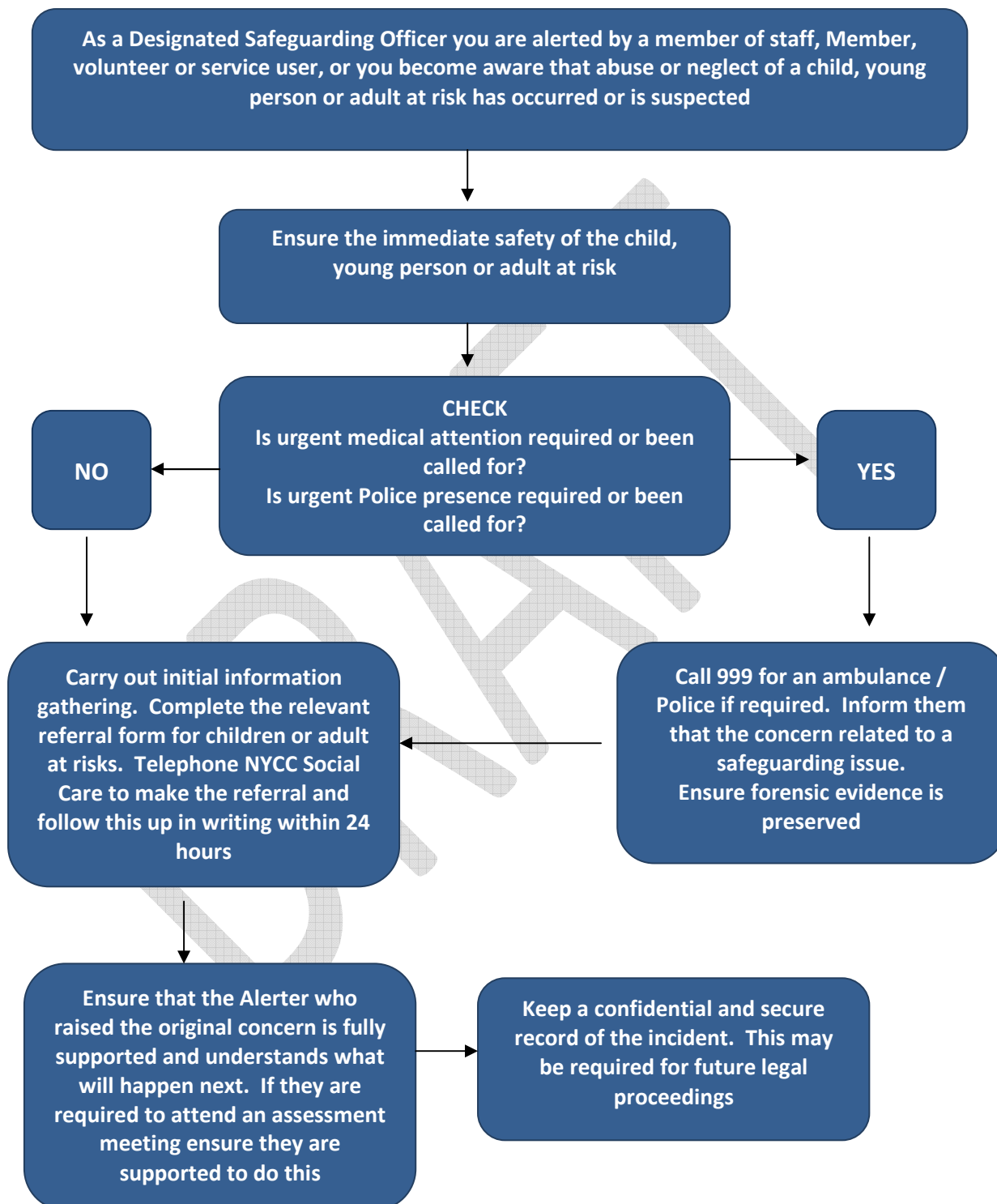
REPORTING PROCESS

The timescale for alerting is IMMEDIATELY



REFERRAL PROCESS

The timescale for referring is as soon as possible after the alert as has been made



WHAT TO DO IF A CHILD TALKS TO YOU ABOUT ABUSE

It is important that you respond effectively when dealing with concerns or disclosures about a child or young person. Concerns may be raised or come to your attention in different ways. These include:

- A child may tell you about their own or another child's abuse
- Someone else might report that a child has told them about abuse or that they strongly believe that a child is being abused
- A child may show signs of physical injury for which there appears no satisfactory explanation
- A child's behaviour may indicate that it is possible they are being abused
- Observed or reported unusual behaviour of a member of staff or volunteer, or the way in which they relate to a child or young person
- Observed or reported unusual behaviour of a member of the public, on Council property or land, or associated with the delivery of Council services

All concerns should be reported to the designated Safeguarding Officer (or Deputy) in line with the Council's Safeguarding Policy.

In an emergency situation, if the designated persons are unavailable, contact Children's Social Care (tel: or the Police (see appendix E for contact details)

DO

- Stay calm and listen carefully to what is said
- Find an appropriate early opportunity to explain that it is likely that the information will need to be shared. Do not promise to keep secrets
- Allow the child to continue at their own pace
- Ask questions for clarification only and at all times avoid asking questions that suggest a particular answer
- Reassure the child that they have done nothing wrong in telling you
- Tell them what you will do next and with whom the information will be shared
- Record in writing what was said using the child's words as soon as possible. Note the date and time, any names mentioned and to whom the information was given. Ensure the record is signed off and dated
- Contact the Safeguarding Officer or their Deputy and forward all information to them as soon as possible

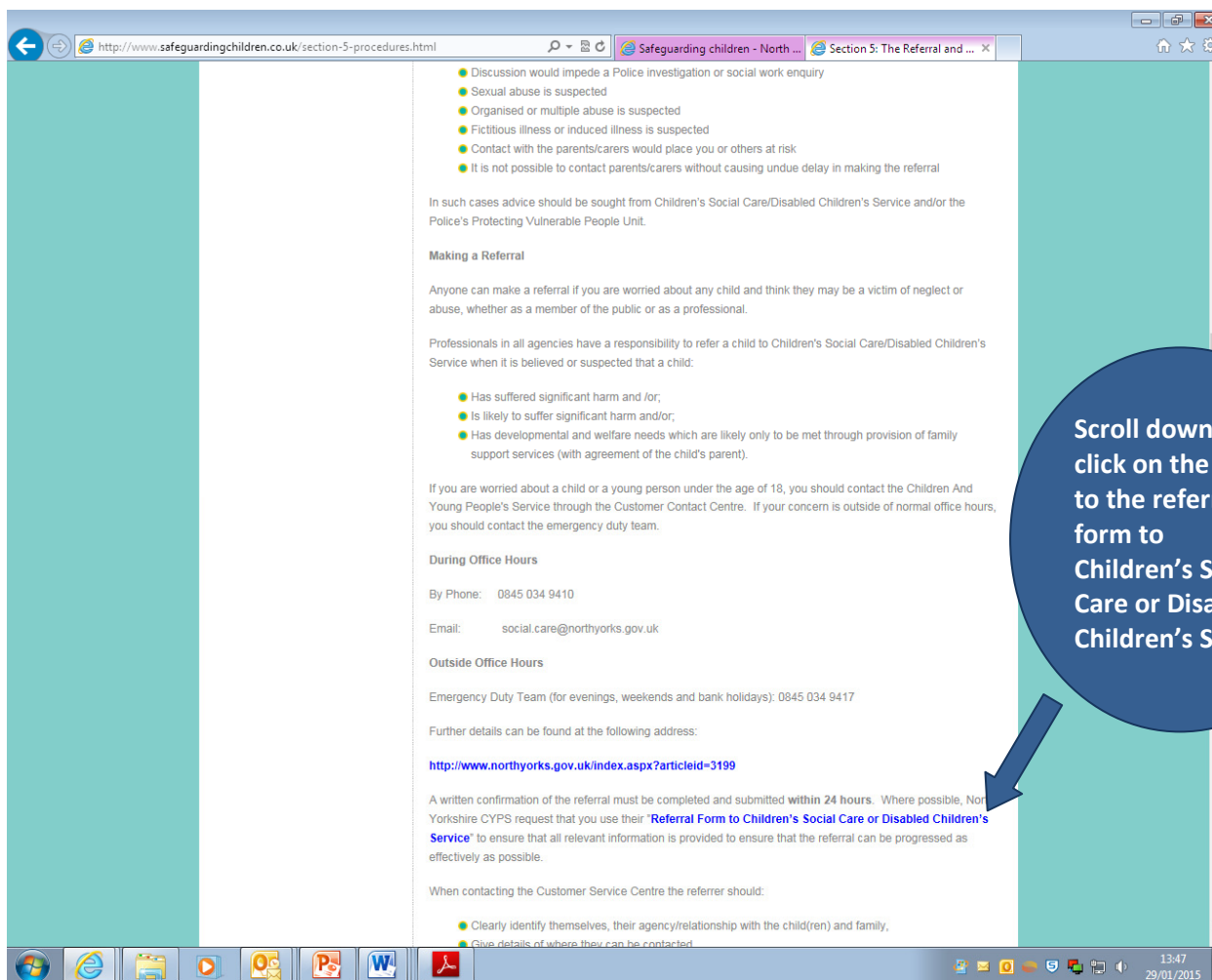
DO NOT

- Dismiss the concern
- Panic or allow your shock or distaste to show
- Probe for more information that is offered
- Make promised you cannot keep, such as agreeing not to tell anyone else
- Speculate or make assumptions
- Approach the alleged abuser or attempt to investigate the concern
- Make negative comments about the accused person
- Discuss with anyone other than the designated Safeguarding Children Officer (or Deputy) or appropriate Officers from Children's Social Care or the Police.

SAFEGUARDING CHILDREN REFERRAL FORM

To access the on-line Safeguarding Children Referral Form click on the following link:

<http://www.safeguardingchildren.co.uk/section-5-procedures.html>



Completed forms should be treated as a strictly confidential document and emailed to social.care@northyorks.gov.uk or if you are using secure email then social.care@northyorks.gcsx.gov.uk

For more detailed information visit:
www.safeguardingchildren.co.uk

SAFEGUARDING ADULTS ALERTER FORM

To access the on-line Safeguarding Adults Alerter Form click on the following link:

<http://www.northyorks.gov.uk/article/24309/Safeguarding-vulnerable-adults>

The screenshot shows a web browser window with the URL <http://www.northyorks.gov.uk/article/24309/Safeguarding-vulnerable-adults>. The page content includes:

- Child protection** (with sub-links: Safeguarding children, Child protection orders, Domestic abuse)
- The North Yorkshire safeguarding adults board have launched a campaign aimed at ensuring vulnerable people in North Yorkshire get the help and support they need and deserve.**
- Vulnerable adults** are people over 18 who may be unable to take care of themselves and protect themselves from harm or exploitation because they are physically disabled, have mental health problems, learning difficulties or are frail, elderly or ill.
- Abuse can happen anywhere and at any time and the abuser can be someone you know or a stranger.**
- Abuse takes many forms - from physical, sexual, emotional and psychological, to institutional, financial, discriminatory and neglect.**
- Signs of abuse:**
 - Multiple bruising or finger marks;
 - Injuries the person cannot give a good reason for;
 - Deterioration of health for no apparent reason;
 - Loss of weight;
 - Inappropriate or inadequate clothing;
 - Withdrawal or changes in usual behaviour;
 - A person who is unwilling to be alone with a particular carer; or
 - Unexplained shortage of money.
- Reporting abuse**
 - If you or the person you are concerned about is in danger and immediate action is required, you should ring the emergency services on **999**.
 - If you or the person you are concerned about is not in immediate danger, you should ring our customer services centre on **01609 534527**.
 - This includes outside of office hours. The Minicom number is 0845 603 6391.
 - Service providers in the statutory, voluntary or independent sectors should use the **inter-agency safeguarding adults alert/referral form** to report abuse.
- Guides to safeguarding adults from abuse**

A blue circular callout with a white arrow points to the link for the **inter-agency safeguarding adults alert / referral form**.

Completed forms should be treated as a strictly confidential document and emailed to social.care@northyorks.gov.uk or if you are using secure email then social.care@northyorks.gcsx.gov.uk

For more detailed information visit:
<http://www.northyorks.gov.uk/article/24309/Safeguarding-vulnerable-adults>

SAFEGUARDING TRAINING

Training levels

Safeguarding training is delivered in a variety of ways that is most appropriate and relevant to people's roles as follows:

- **Safeguarding leaflet** – this is for **ALL** staff regardless of their role and responsibility as everybody should have an awareness of safeguarding, how to recognise the signs of abuse and what to do if they are worried about a child or adults at risk . The leaflet is issued to all new staff with their contract of employment. The leaflet is updated every 3 years and distributed to all staff
- **E-learning – Safeguarding Adults at Risk** is for **ALL** members of staff who **may** come into contact with adults at risk s as part of their role guiding principles for safeguarding adults

E-learning link: www.kwango.com. Username: (**hambletondcsafead**); Password: (**hambleton2**). Users click on **Safeguarding Adults at Risk** and the course begins

- **E-learning – Safeguarding Children** is for **ALL** members of staff who **may or are likely to** come into contact with children as part of their role

E-learning link: www.safeguardingchildren.co.uk/course-signup.html.

Users click on e-learning, register (if using for the first time) and start the course by clicking on Section 1 – What is child abuse?

- **Level 1 Safeguarding Adults** – the Council has a number of staff who are trained to deliver this course. This is for **ALL** people who **are likely** to come into contact with adults at risk s as part of their day to day duties. See Corporate Training programme for details
- **Level 2 Safeguarding Children** – NYCC offers a range of level 2 courses for people who are likely to come into contact with children as part of their day to day duties. This training is for staff who provide direct care or services to children or adults at risk, or who are designated safeguarding officers

Manager's responsibilities

It is a manager's responsibility to recognise what level of training is appropriate for their staff and ensure that safeguarding responsibilities are included in job descriptions and person specifications as appropriate. Below is a summary:

Useful contacts

- North Yorkshire Safeguarding Children Board
www.safeguardingchildren.co.uk
- North Yorkshire Safeguarding Adults Board
<http://www.northyorks.gov.uk/index.aspx?articleid=4536>