

## **HAMBLETON DISTRICT COUNCIL**

**Report To:** Cabinet  
14 January 2020

**Subject:** **SAFEGUARDING CHILDREN AND ADULTS POLICY AND PROCEDURE**

**All Wards**  
**Portfolio Holder for Leisure: Councillor Mrs B S Fortune**

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### **1.0 PURPOSE AND BACKGROUND:**

1.1 On the 1 October 2019 the new Joint Multi-Agency Safeguarding Adults Policy and Procedure (West Yorkshire, North Yorkshire and City of York) was issued. The document has been updated to meet the relevant legislative requirements, including those within the Care Act (2014).

1.2 The Policy seeks to promote strong partnership arrangements by:

- (i) providing a framework for multi-agency working and partnership;
- (ii) providing a framework for recognising and taking action to prevent the abuse of adults at risk;
- (iii) defining the responsibilities of partner organisations in responding to safeguarding adult concerns/allegations;
- (iv) providing common values, principles and practice that underpin the safeguarding of adults at risk;
- (v) identifying the different types of abuse, signs, symptoms and indicators;
- (vi) highlighting the importance of "Making Safeguarding Personal;" and
- (vii) setting standards of practice that safeguard adults at risk.

1.3 In response the Council's joint Safeguarding Children and Adults Policy and Procedure has been updated to reflect these changes in legislation and guidance.

1.4 Members of the Council's Safeguarding Panel, which is representative of the key services concerned with safeguarding, have contributed to the new Policy and Procedure to ensure it reflects the needs of all services.

### **2.0 LINK TO COUNCIL PRIORITIES:**

2.1 The Safeguarding Children and Adults Policy and Procedure links to the Council's Enhancing Health and Wellbeing priority and sets out the Council's shared responsibility for safeguarding and promoting the welfare of children and adults who access its services. Safeguarding is about preventing and responding to concerns of abuse, harm or neglect of children and adults at risk.

### **3.0 RISK ASSESSMENT:**

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

<b>Risk</b>	<b>Implication</b>	<b>Gross Prob</b>	<b>Gross Imp</b>	<b>Gross Total</b>	<b>Preventative action</b>	<b>Net Prob</b>	<b>Net Imp</b>	<b>Net Total</b>
As a relevant partner, the Council does not comply with the Care Act (2014) to co-operate with North Yorkshire	The Council would be non-compliant with safeguarding legislation that	4	3	12	Cabinet approve the joint Safeguarding Children and	1	1	1

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County Council in safeguarding adults	may result in legal challenge.				Adults Policy and Procedure.			
The Council does not comply with its statutory duties as a local authority to protect children under the Children and Social Work act 2017	The Council would be non-compliant with safeguarding legislation that may result in legal challenge.	4	3	12	Cabinet approve the joint Safeguarding Children and Adults Policy and Procedure.	1	1	1

Prob = Probability, Imp = Impact, Score range is Low = 1, High = 5

Overall the risk of agreeing with the recommendation outweighs the risks of not agreeing it and is considered acceptable.

#### **4.0 FINANCIAL IMPLICATIONS:**

4.1 There are no significant financial implications associated with the approval of the new Safeguarding Children and Adults Policy and Procedure. Training and development associated with the new Policy and Procedure will be delivered in-house.

#### **5.0 LEGAL IMPLICATIONS:**

5.1 The new Safeguarding Children and Adults Policy and Procedure complies with safeguarding legislation including the Care Act (2014), the Children and Social Work Act (2017), Working Together to Safeguard Children (2018) and the Mental Capacity Act (2005) including Deprivation of Liberty Safeguards.

#### **6.0 EQUALITY/DIVERSITY ISSUES**

6.1 The Public Sector Equality Duty is a duty on public bodies and others carrying out public functions to ensure that public bodies consider the needs of all individuals when shaping policy, delivering services and in relation to their own workforce.

6.2 The Public Sector Equality Duty has three aims. It requires public sector bodies to have due regard to the need to:

- (i) eliminate unlawful discrimination, harassment, victimisation and any other conduct prohibited by the Act.
- (ii) advance equality of opportunity between people who share a protected characteristic and people who do not share it (remove or minimise disadvantages, meet the needs of people, encourage participation in public life).
- (iii) foster good relations between people who have a protected characteristic and people who do not share it (tackling prejudice and promoting understanding, it may also include positive action).

6.3 The Public Sector Equality Duty covers the following protected characteristics: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex (gender) and sexual orientation. It also applies to marriage and civil partnerships but only in the requirement to have due regard to eliminate discrimination.

6.4 The Policy Statement in the new Safeguarding Children and Adults Policy and Procedure states that Hambleton District Council recognises that all children and adults, irrespective of their age, disability, gender reassignment, maternity status, race, religion or belief, gender, sexual orientation or marital status have a right to protection from abuse, and acknowledges its shared responsibility for safeguarding and promoting the welfare of children and adults who access services provided by the Council.

**7.0 RECOMMENDATION:**

7.1 That Cabinet approves and recommends to Council that the Safeguarding Children and Adults Policy and Procedure at Appendix 1 is approved and implemented with immediate effect.

STEVEN LISTER  
DIRECTOR FOR LEISURE AND COMMUNITIES

**Background papers:** Joint Multi-Agency Safeguarding Adults Policy and Procedures (West Yorkshire, North Yorkshire and City of York)

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