



Rhondda Cynon Taf County Borough Council

Corporate Safeguarding Policy

July 2020

CONTENTS

	Page
1 Introduction	3
2. Strategic context	4
3. Related legislation, policy and guidance	4
4. Our Framework	6
5. Confidentiality	9
6. Roles and responsibilities	9
Appendix 1 – What constitutes Abuse and Types of Abuse	15

1. Introduction

Safeguarding is everyone's business whether they work for, or on behalf of, the Council

What is Safeguarding?

Safeguarding involves both the protection of children and adults who are in need of care and support from abuse, neglect or other kinds of harm and the prevention of children and adults from becoming at risk of abuse, neglect or other kinds of harm.

The definitions of a child and adult at risk are included in Appendix 1.

Purpose of this Policy

The safeguarding of children and adults at risk is a high priority for Rhondda Cynon Taf County Borough Council.

This Corporate Safeguarding Policy provides a framework for every Service within the Council setting out responsibilities in relation to safeguarding children and adults at risk as well as the methods by which the Council is assured that it is fulfilling its duties.

This policy applies to all Rhondda Cynon Taf employees, Councillors, volunteers and suppliers/service providers procured to deliver services on behalf of the Council.

Principles

This policy takes into account the following key principles:

- Every child and adult at risk (whatever their background, culture, age, disability, gender, ethnicity, religious belief) has a right to participate in a safe society without any violence, fear, abuse, bullying or discrimination.
- Every child and adult at risk has the right to be protected from harm, neglect, exploitation and abuse.
- Everyone has a responsibility for protecting children and adults at risk from abuse and neglect and working in a way that promotes and supports their best interests.

- The Council will invest in preventative and early intervention services and will endeavour to prevent situations arising where abuse, neglect or harm may occur.

2. Strategic context

At a strategic level, this approach to safeguarding supports the delivery of the Council's three priorities as set out in the Corporate Plan,

Ensuring People: are independent, healthy and successful;

Creating Places: where people are proud to live, work and play;

Enabling Prosperity: creating the opportunity for people and businesses to: be innovative; be entrepreneurial; and fulfil their potential and prosper.

It also supports the priorities set out in the Cwm Taf Wellbeing Plan.

At an All Wales level, keeping people safe contributes to the Wellbeing goals as set out in the Wellbeing of Future Generations Act to **improve the economic, social, environmental and cultural well-being of Wales.**

3. Related legislation, policy and guidance

Legislation that is contained within the various Acts and guidance that are identified below enshrine the right to protection from abuse¹. The legal starting point in achieving this objective is professionals' duty to report² allegations of abuse and neglect. The law also identifies the Local Authority as the lead organisation³ in making enquiries to identify whether an individual is at risk and in coordinating the response to protect. In practice, this is never achieved in isolation or without clear leadership and accountability⁴ for the work that is equally set out in law, along with the duty to cooperate and collaborate⁵ with others.

The Council recognises that good practice in safeguarding brings together all activity aimed at promoting safe practice with vulnerable groups and preventing abuse and neglect. For

¹ Human Rights Act 1989 and UNCRC 1989

² Social Services and Wellbeing Act 2014

³ Children Act 1989 and Social Services and Wellbeing Act 2014

⁴ Children Act 2004

⁵ Children Act 1989, 2004 and Social Services and Wellbeing Act 2014

this reason, and because the law, policy, guidance and regulations change from time to time, it is impossible to provide an exhaustive list of relevant documents but the most significant items are included below:

- Social Services and Well Being (Wales) Act 2014
- Education Act 2002 – plus ‘Keeping Learners Safe’ -The role of local authorities, governing bodies and proprietors of independent schools under the Education Act 2002
- Children Act 1989 and 2004,
- Section 17 of the Crime and Disorder Act 1998,
- Mental Capacity Act 2005
- Violence Against Women, Domestic Abuse and Sexual Violence (Wales) Act 2015
- Housing Act 2004
- Licensing Act 2003
- Human Rights Act 1998

The Council will ensure that practice is compliant with the following policies and procedures:

- Wales Safeguarding Procedures 2019
- RCT CBC Whistle-Blowing Policy
- RCT CBC Recruitment Policies
- RCTCBC Dealing with Domestic Abuse & Sexual Violence
- Regional Safeguarding Board Policies and Procedures for Safeguarding children, young people and adults at risk
- Cwm Taf Morgannwg Schools Safeguarding Policy

Employees, Councillors and its suppliers/service providers should act in accordance with the relevant professional Codes of Conduct.

The intention is that this Corporate Safeguarding Policy will supplement and not replace any responsibilities already set out in legislation, policy or guidance set out above.

4. Our Framework

The two key objectives of this policy are:

- To set out how Rhondda Cynon Taf County Borough Council will meet its obligations towards the safeguarding of children and adults at potential risk;
- To give assurances to the public, Councillors, staff, volunteers and people carrying out work on behalf of the Council that there are sound arrangements in place to safeguard children and adults at risk.

The Council will implement these objectives via the following framework of priorities:



Practice

If a child, young person or adult at risk is considered to be in immediate danger, the Emergency Services (Police, Ambulance, Fire and Rescue) must be contacted

immediately by calling 999

All those employed by, or working on behalf of, the Council, including Councillors should be alert to the possibility of abuse. An individual may become concerned about a child or an adult at risk in a number of ways:

- The person may tell you
- The person may say something that worries you
- A third party may voice concerns
- You may see something that concerns you

Any person with concerns regarding the safety of a child/adult at risk, **OR** the behaviour of a colleague towards a child/adult at risk, has a responsibility to report this immediately. This should be done via the person's Line Manager, Designated Safeguarding Lead or contact:

01443 425003 (adults) 01443 425006 (children)

E-mail:

adultsatrisk@rctcbc.gov.uk (adults)

IAATeam@rctcbc.gov.uk (children)

After 5.00pm, Monday to Friday and on weekends and Public Holidays contact the Emergency Duty Team on 01443 743665 or email: SocialWorkEmergencyDutyTeam@rctcbc.gov.uk

Governance

The RCT Corporate Safeguarding Group is responsible for ensuring that the Council carries out its responsibilities, as set out in this Corporate Safeguarding Policy.

The Council will discharge its strategic statutory safeguarding responsibilities through its role as Lead Partner and membership of the Cwm Taf Morgannwg Safeguarding Board (CTMSB). The Board has a statutory duty to develop an Annual Plan on a regional basis

and has an overall responsibility for challenging relevant agencies in relation to the measures that are in place to safeguard children and adults at risk.

The Council's Democratic process for challenge is its Scrutiny function. The Overview & Scrutiny Committee will receive an annual report in respect of compliance with the Corporate Safeguarding Policy.

The Statutory Director for Social Services Report will include an evaluation of the Council's corporate safeguarding arrangements.

Recruitment

The Council will ensure that safe recruitment processes are in place to prevent, wherever possible, unsuitable people from working in or volunteering for certain roles, particularly roles that involve children or adults at risk. This includes:

- Disclosure and Barring Service checks
- Recruitment and selection training for managers
- References and checks prior to employment
- Reviewing recruitment and selection procedures regularly and auditing effectiveness

Workforce

The Council recognises its commitment to ensure that all members of staff, including Councillors, have an understanding of their responsibilities in relation to safeguarding children and adults at risk.

All employees are required to undertake mandatory safeguarding training (children and adults) as well as the level 1 violence against women, domestic abuse and sexual violence training.

Managers must ensure that this training forms part of the induction process for new staff.

Procurement

In consultation with the relevant service area, the Procurement Service will assess whether the requirements of this Corporate Safeguarding Policy will apply to any new contracting

arrangement. Depending on the nature of specific contracts, the level of pre-appointment checks / required governance practices may vary.

For those contracts where this Policy applies, the Council will have in place appropriate contract management arrangements as detailed in the contract terms and conditions.

Following the appointment of a supplier / service provider the purpose of contract monitoring arrangements will be to ensure that supplier / service provider are managing their responsibilities as set out to them within the relevant tender documents and contract of engagement.

5. Confidentiality

Information sharing is vital for the safeguarding of children and adults at risk. The Council is committed to complying with data protection law which allows it to use and share personal information only where we have a proper and lawful reason for doing so. The Data Protection legislation does not put barriers in place for sharing information but enhances individuals' rights to have their personal information processed fairly, lawfully and transparently.

As a matter of good practice employees should inform the child or adult at risk about their service's policy on how information will be shared and seek consent.

You can share confidential information without consent if it is required by law, or directed by a court, or if the benefits to a child or young person that will arise from sharing the information outweigh both the public and the individual's interest in keeping the information confidential.

Employees should seek advice from their Line Manager or Information Management Team if they are in any doubt about sharing personal information.

6. Roles and responsibilities

All employees, Councillors, volunteers and suppliers/service providers (procured to deliver services on behalf of the Council) have the duty to report concerns about abuse and neglect.

Children's Services has the responsibility for receiving and responding to **new concerns**

about children and Adult Services has the responsibility for **receiving and responding to new concerns about adults at risk.**

The responsibilities of key roles in the Council are set out in the table below:

ROLE IN THE COUNCIL	RESPONSIBILITIES
<p>Lead Member for Corporate Safeguarding - the Leader of the Council</p>	<p>To act as the ‘champion’ for Corporate Safeguarding.</p> <p>The Lead Member will work closely with, and take professional advice from, a range of Senior Officers within the Authority, as appropriate.</p> <p>The Lead Member will liaise and consult with other Cabinet Members on individual matters likely to affect their portfolios as set out in the Council’s Scheme of Delegation.</p>
<p>The Chief Executive</p>	<p>Ensure that there are effective safeguarding arrangements in place, including policies and procedures, that those policies and procedures are implemented, that there are effective governance arrangements in place and that all statutory requirements are being met.</p> <p>Work with the Council's Statutory Director for Social Services to ensure there are effective arrangements to safeguard and protect children and adults at risk across the Council. Specifically to:</p> <ul style="list-style-type: none"> • monitor the implementation of and compliance with this Policy across the Council • ensure that there is a corporate safeguarding training programme in place • set clear lines of accountability • ensure that there are lead safeguarding managers within each service area

	<ul style="list-style-type: none"> • ensure that the Council implements the UN Convention on the Rights of the Child. • ensure that annual service reports are prepared • ensure that the annual corporate safeguarding report for Scrutiny is delivered
<p>Statutory Director of Social Services</p>	<p>This role, as defined by the Social Services and Well-Being Act 2014, is fulfilled by the RCT Director of Community and Children’s Services and has the final and indivisible accountability to safeguard children and adults at risk. The annual service reports will be an opportunity for challenge and used to inform the ‘Director of Social Services - Annual Report’.</p> <p>Work with the Council's Chief Executive to ensure there are effective arrangements to safeguard and protect children and adults at risk across the Council. Specifically to:-</p> <ul style="list-style-type: none"> • monitor the implementation of and compliance with this Policy across the Council • ensure that there is a corporate safeguarding training programme in place • set clear lines of accountability • ensure that there are lead safeguarding managers within each service area • ensure that the Council implements the UN Convention on the Rights of the Child. • ensure that annual service reports are prepared • ensure that the annual corporate safeguarding report for Scrutiny is delivered

<p>Directors, Service Directors and Heads of Service</p>	<p>Through their Management Teams, will be responsible for ensuring that all the statutory requirements in terms of safeguarding children and adults at risk are addressed.</p> <p>They are also responsible for putting in place appropriate systems within their service areas that ensure compliance with this policy:</p> <ul style="list-style-type: none"> • Ensuring appropriate training is delivered. • Communicating information about who staff need to contact and making sure this information is reviewed regularly so that is up to date and accurate. • Compiling a report in respect of their Safeguarding arrangements that will be used to inform the Director of Social Services' Annual Report.
<p>Managers</p>	<ul style="list-style-type: none"> • Recruiting employees/volunteers in accordance with relevant HR policy, including (where required) Disclosure and Barring Service checks. • Ensuring safeguarding is part of every employee/volunteer's induction. • Identifying employees/volunteers who are likely to come into contact with children or adults at risk as part of their role. • Ensuring training is delivered commensurate with role. • Ensuring that all employees/volunteers are aware of how to report safeguarding concerns and to whom • Provide advice to employees/volunteers on how to report a safeguarding concern • Ensuring that all employees/volunteers are aware of

	<p>the Council's Whistleblowing Policy</p> <ul style="list-style-type: none"> • Ensuring that employees/volunteers are aware that they must conduct themselves in a manner which safeguards and promotes the wellbeing of children, and adults at risk. • Providing employees/volunteers with guidance about reporting safeguarding concerns as required.
Service Commissioners	Ensure that contractual arrangements specify responsibilities in relation to safeguarding in accordance with this policy and existing commissioning policies.
Contractors, sub-contractors or other organisations funded by, or on behalf of, the Council	Arrange checks through the Disclosure and Barring Service (where required) and ensure that their staff comply with regulatory and contractual arrangements relating to safeguarding children and adults at risk. Contractors are also responsible for informing relevant managers of the Council about any concerns they may have and to refer such safeguarding concerns to the MASH.
Elected Members	<p>Should attend training in respect of safeguarding children and adults at risk and additional safeguarding training needs, e.g., in relation to their portfolios will be addressed as part of ongoing Personal Development Reviews.</p> <p>Should report any safeguarding concerns in accordance with this Policy.</p>
Staff	<p>Should attend training in respect of safeguarding children and adults at risk and additional safeguarding training needs, e.g., in relation to their portfolios will be addressed as part of ongoing Personal Development Reviews.</p> <p>Should report any safeguarding concerns in accordance with this Policy.</p>

More detailed information can be found on the Cwm Taf Morgannwg Safeguarding Board website www.ctmsb.co.uk

To access the Wales Safeguarding Procedures go to <https://safeguarding.wales/>

What constitutes Abuse and Types of Abuse

Social Services and Well- being Act 2014 part 7 - Working Together to Safeguard People

Section 128 of the Act imposes a duty to report adults at risk

The Act imposes a new duty on relevant partners to report to a local authority if it is suspected that an adult is an adult at risk.

An “adult at risk”, is an adult who:

- (a) is experiencing or is at risk of abuse or neglect;
- (b) has needs for care and support (whether or not the authority is meeting any of those needs); and
- (c) as a result of those needs is unable to protect himself or herself against the abuse or neglect or the risk of it.

Section 130 of the Act imposes a duty to report children at risk

The Act defines a ‘child at risk’ as a child who:

- (a) is experiencing or is at risk of abuse, neglect or other kinds of harm; and
- (b) has needs for care and support (whether or not the authority is meeting any of those needs).

Section 197(1) of the Act provides definitions of ‘abuse’ and ‘neglect’:

“**abuse**” means physical, sexual, psychological, emotional or financial abuse (and includes abuse taking place in any setting, whether in a private dwelling, an institution or any other place), and

“**neglect**” means a failure to meet a person’s basic physical, emotional, social or psychological needs, which is likely to result in an impairment of the person’s well-being (for example, an impairment of the person’s health or, in the case of a child, an impairment of the child’s development);

The following is a non-exhaustive list of examples for each of the categories of abuse and neglect:

- Physical abuse - hitting, slapping, over or misuse of medication, undue restraint, or inappropriate sanctions;
- Sexual abuse - rape and sexual assault or sexual acts to which the person has not or could not consent and/or was pressured into consenting;
- Psychological abuse - threats of harm or abandonment, coercive control, humiliation, verbal or racial abuse, isolation or withdrawal from services or supportive networks; coercive control is an act or pattern of acts of assault, threats, humiliation, intimidation or other abuse that is used to harm, punish or frighten the victim
- Neglect - failure to access medical care or services, negligence in the face of risk-taking, failure to give prescribed medication, failure to assist in personal hygiene or the provision of food, shelter, clothing; emotional neglect
- Financial abuse in relation to people who may have needs for care and support -
 - unexpected change to their will;
 - sudden sale or transfer of the home;
 - unusual activity in a bank account;
 - sudden inclusion of additional names on a bank account;
 - signature does not resemble the person's normal signature;
 - reluctance or anxiety by the person when discussing their financial affairs;
 - giving a substantial gift to a carer or other third party;
 - a sudden interest by a relative or other third party in the welfare of the person;
 - bills remaining unpaid;
 - complaints that personal property is missing;
 - a decline in personal appearance that may indicate that diet and personal requirements are being ignored;

- deliberate isolation from friends and family giving another person total control of their decision-making.

Child Sexual Abuse (CSA)

Child sexual abuse involves forcing or enticing a child to take part in sexual activities, whether or not the child is aware of what is happening. This includes physical contact, penetrative or non-penetrative acts; non-contact activities, such as involving children in looking at, or in the production of, pornographic material or watching sexual activities or encouraging children to behave in sexually inappropriate ways.

Child Sexual Exploitation (CSE) is a form of sexual abuse that can include sex or any form of sexual activity with a child; the production of indecent images and/or any other indecent material involving children. It occurs to those up to the age of 18 years old. It involves some form of exchange, including the giving or withdrawal of something; such as the withdrawal of violence or threats to abuse another person. There may be a facilitator who receives something in addition to or instead of the child who is being exploited. Children may not recognise the exploitative nature of the relationship or exchange. Children may feel that they have given consent.

Harmful sexual behaviours (HSB) can be defined as sexual behaviours expressed by children under the age of 18 years that are developmentally inappropriate, may be harmful towards themselves or others, or be abusive towards another child, young person or adult. This definition of HSB includes both contact and non-contact behaviours (grooming, exhibitionism, voyeurism and sexting or recording images of sexual acts via smart phones or social media applications).

Violence against Women, Domestic Abuse and Sexual Violence (VAWDASV)

The Violence against Women, Domestic Abuse and Sexual Violence (Wales) Act 2015 defines Domestic Abuse as being abuse where the victim is or has been associated with the abuser. The abuse can be physical, sexual, psychological, emotional or financial abuse.

Witnessing domestic abuse is child abuse. It is important to understand that if a child is at risk, action must be taken.

Violence Against Women describes types of abuse and violent acts that are primarily or exclusively experienced by women (also known as gender based violence). This includes:

- Female Genital Mutilation (FGM) – FGM is illegal in the UK under the Female Genital Mutilation Act 2003
- Femicide - generally understood to involve intentional murder of women because they are women, but broader definitions include any killings of women or girls
- Forced Marriage - where one or both people do not (or in cases of people with learning disabilities, cannot) consent to the marriage and pressure or abuse is used
- Honour Based Violence - a violent crime or incident which may have been committed to protect or defend the honour of the family or community. It is often linked to family members or acquaintances who believe someone has brought shame to their family or community by doing something that is not in keeping with the traditional beliefs of their culture

Sexual Violence is any unwanted sexual act or activity such as sexual exploitation, sexual harassment, or threats of violence of a sexual nature.

Modern Slavery and Human Trafficking

Slavery is an umbrella term for activities involved when one person obtains or holds another person in compelled service.

Someone is in slavery if they are:

- forced to work through mental or physical threat
- owned or controlled by an 'employer', usually through mental or physical abuse or the threat of abuse
- dehumanised, treated as a commodity or bought and sold as 'property'
- physically constrained or have restrictions placed on his/her freedom

The following definitions are encompassed within the term 'modern slavery' for the purposes of the Modern Slavery Act 2015.

These are:

- 'slavery' - where ownership is exercised over a person
- 'servitude' - the obligation to provide services imposed by coercion
- 'forced or compulsory labour' - work or service extracted from any person under the menace of a penalty and for which the person has not offered himself voluntarily

Human trafficking involves:

- the recruitment, transportation, transfer, harbouring or receipt of persons,
- by means of threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person; (where a child is involved, the above means are irrelevant),
- for the purposes of exploitation, which includes (but is not exhaustive):
 - Prostitution
 - Other sexual exploitation
 - Forced labour
 - Slavery (or similar)
 - Servitude etc.
 - Removal of organs

Counter Terrorism and Radicalisation

The PREVENT public sector duty came into place in 2015 and places an expectation on the Council to have due regard to the need to prevent people from being drawn into terrorism and extremism.

Any concerns of this nature must be referred to Counter Terrorism using the online referral form for PREVENT at <https://digitalservices.south-wales.police.uk/en/all-wales-prevent-partners-referral-form/>

In addition to the Prevent referral, if there are any additional safeguarding concerns an appropriate referral must also be submitted to the MASH/IAA

County Lines

'County Lines' is a term used when drug gangs from big cities expand their operations to smaller towns, often using violence to drive out local dealers and exploiting children and vulnerable people to sell drugs. These dealers will use dedicated mobile phone lines, known as 'deal lines', to take orders from drug users.

The dealers will frequently target children and adults - often with mental health or addiction problems - to act as drug runners or move cash so they can stay under the radar of law enforcement.

In some cases the dealers will take over a local property, normally belonging to a vulnerable person, and use it to operate their criminal activity from. This is known as cuckooing.

People exploited in this way will quite often be exposed to physical, mental and sexual abuse, and in some instances will be trafficked to areas a long way from home as part of the network's drug dealing business.

Suicide and Self Harm

There is no universal definition of self-harm and different strategies, policies and research use different definitions. The Welsh Assembly Government definition is "the intentional self-poisoning or self-injury irrespective of the nature of motivation or degree of suicidal intent".

Self-Harm behaviour regardless of intent is one of the top five reasons for medical admission in the UK. It is more common in females and the risk of repetition is high – up to 40% will go in to repeat ('Talk to Me 2' Strategy for Wales, 2015-2020).

The Talk to Me 2 Strategy defines suicide as "a death resulting from an intentional self-inflicted act".

Suicide is a major cause of death amongst the 15 to 44 age group in Wales. In 2010-2012, it accounted for almost one in five deaths ('Talk to Me 2' Strategy, for Wales 2015-2020).