

Telephone: 023 9247 4174
Fax: 023 9248 0263
Website: www.havant.gov.uk

CABINET AGENDA

Membership: Councillor Wilson (Chairman)

Councillors Inkster, Bains, Bowerman, Rennie, Turner, Hughes and Thain-Smith

Meeting: Cabinet

Date: Wednesday 7 April 2021

Time: 2.00 pm

Venue: Skype for Business

The business to be transacted is set out below:

Gill Kneller
Chief Executive

26 March 2021

Contact Officer: James Harris 01730 234098
Email: DemocraticServices@havant.gov.uk

Page

PART 1 (Items open for public attendance)

1 Apologies for Absence

To receive and record any apologies for absence.

2 Minutes

1 - 6

To confirm the minutes of the last meeting held on 10 February 2021.

3 Declarations of Interests

To receive and record any declarations of interest.

4 Chairman's Report

5 Cabinet Lead Delegated Decisions, Minutes from Meetings etc. 7 - 18

RECOMMENDED that the following minutes be noted:

(1) Minutes of the meeting of the Portchester Crematorium Joint Management Committee held on 22 March 2021.

RECOMMENDED that the following Delegated Decisions be noted:

(1) 04.03.21 - Hayling Seafront Pay & Display Parking

(2) 04.03.21 - Extension for three years of existing Public Space Protection Order (Dogs)

(3) 04.03.21 - Extension for three years of the existing Public Space Protection Order Waterlooville Precinct (Feeding Pigeons) under the Anti-social Behaviour, Crime and Policing Act 2014.

Cabinet Lead for Communications and Communities

6 Revised Safeguarding Policy and New Modern Slavery Statement 19 - 84

GENERAL INFORMATION IF YOU WOULD LIKE A VERSION OF THIS AGENDA, OR ANY OF ITS REPORTS, IN LARGE PRINT, BRAILLE, AUDIO OR IN ANOTHER LANGUAGE PLEASE CONTACT DEMOCRATIC SERVICES ON 023 9244 6231

Internet

This agenda and its accompanying reports can also be found on the Havant Borough Council website: www.havant.gov.uk

Public Attendance and Participation

Members of the public are welcome to follow proceedings via the link on the Council's website. Many of the Council's meetings allow the public to make deputations on matters included in the agenda. Rules govern this procedure and for further information please get in touch with the contact officer for this agenda.



Havant

BOROUGH COUNCIL

PROTOCOL AT MEETINGS – RULES OF DEBATE

Rules of Debate

- Councillors must always address each other as “Councillor ...” and must always address the meeting through the Chairman;
- A motion must relate to the business included on the agenda or accepted by the meeting as urgent business
- A motion must be proposed and seconded before it is debated until it is either accepted or rejected by a vote;
- An amendment can be proposed to the original motion and this must be seconded before it is debated;
- An amendment cannot be considered if it is inconsistent with an amendment previously adopted or repeats an amendment previously rejected;
- The mover of an original motion may, with the consent of the mover of an amendment, incorporate an amendment into the motion;
- Only one amendment may be moved at a time. No further amendments can be moved until the previous amendment has been dealt with;
- Each amendment must be voted on separately;
- If an amendment is carried, the amended motion becomes the substantive motion to which further amendments may be moved;
- If an amendment is lost, other amendments may be moved to the original motion.
- The mover may withdraw an amendment at any time
- After an amendment has been carried, the Chairman will read out the amended (substantive) motion, before accepting any further amendment, or if there are none, put it to the vote.

Voting

- Voting may be by a show of hands or by a ballot at the discretion of the Chairman;
- Councillors may not vote unless they are present for the full duration of the item;
- Where there is an equality of votes, the Chairman may exercise a second (casting) vote;
- Two Councillors may request, before a vote is taken, that the names of those voting be recorded in the minutes
- A recorded vote will always be taken in respect of approval of the Annual Budget
- Councillors may not vote unless they are in the meeting for the full debate on any particular item
- A Councillor may request that his/her vote be recorded in the minutes

HAVANT BOROUGH COUNCIL

At a meeting of the Cabinet held on 10 February 2021

Present

Councillor Wilson (Chairman)

Councillors Inkster, Bains, Bowerman, Turner, Hughes and Thain-Smith

25 Apologies for Absence

Apologies were received from Cllr Rennie.

26 Minutes

The minutes of the meeting held on 28 October 2020 meeting and the extraordinary meetings held on 18 November 2020 and 13 January 2021 were confirmed as correct records, with the exception that Cllr Bowerman had tendered her apologies for the 18 November 2020 meeting.

27 Declarations of Interests

Councillor	Minute No	Item Title	Nature of Interest
Cllr Hughes	31	Community Infrastructure Levy (CIL): Proposed Spending of Neighbourhood Portion	Perception of bias. Cllr Hughes was Chairman of the Purbrook and Widley Area Community Association, which had submitted a bid for CIL funding, included within the report. Having consulted with the Monitoring Officer, Cllr Hughes would remain in the meeting and take part in the debate, but not vote on this item.

28 Leader's Report

The Leader provided updated on the progress of the freeport expression of interest which had been submitted on 5 February 2021 and the benefits that this could have for the Borough.

The Leader also updated on elections, which the Government had confirmed would take place in May 2021, having been postponed in 2020. This decision had been taken despite concerns raised by Local Government Leaders from all parties, Chief Executives and Returning Officers, who were of the general consensus that elections should be postponed until later in the year.

29 Cabinet Lead Delegated Decisions, Minutes from Meetings etc.

RESOLVED that the following minutes be NOTED:

- (1) Minutes of the meeting of the Portchester Crematorium Joint Management Committee held on 14 December 2020

RESOLVED that the following decisions taken under the Scheme of Delegations be NOTED

- (1) Havant Borough Local Plan: Changes to the Pre-Submission Local Plan (Further Changes Subsequent to Full Council Decision)
- (2) Test & Trace Support Payments
- (3) Charges for the Collection of Garden Waste
- (4) Additional Restrictions Grant Scheme

30 2021-22 Revenue Budget, Capital Budget, Reserves and Balances, Capital Strategy, Treasury Management Strategy and Medium-Term Financial Strategy (MTFS)

Cllr Inkster introduced the report as the Cabinet Lead for Finance.

Cabinet thanked officers for their hard work in achieving a balanced budget during difficult times and noted that income generation would need to be looked at closely going forward in order to maintain the current level of services. Cabinet also highlighted the importance of early budget challenge sessions and involvement by scrutiny.

Proposed by Cllr Inkster and seconded by Cllr Hughes it was RESOLVED that Cabinet recommend to Full Council:

- a. The proposed Revenue and Capital budgets for 2021-22 including a Council Tax rate of £214.48 at Band D, representing a £5 increase on the current charge;

- b. The proposed Medium-Term Financial Strategy, Capital Strategy, Treasury Management Strategy and Prudential Indicators; and
- c. The proposed increase to Fees & Charges schedule for 2021-22.

31 Community Infrastructure Levy (CIL): Proposed Spending of Neighbourhood Portion

Cllr Turner introduced the report as the Cabinet Lead with the responsibility for CIL.

In response to a question it was confirmed that bids which related to the work of community groups during the pandemic could be considered, however Cabinet was reminded that bids were required to accord with the remit of CIL, which was for infrastructure to mitigate any impact of development.

Cabinet commended the consistency of the protocol to ensure that funding was as fairly awarded as possible.

Proposed by Cllr Turner and seconded by Cllr Bowerman it was RESOLVED that Cabinet recommends to Council the allocation of Neighbourhood CIL funds to the projects and the amounts as set out below:

Coastal Communities

Bid No	Project	CIL Allocation
B	Age Concern Hayling Island Building Renovations	£6,000
G	Surgery Fit Out Upgrade Emsworth Surgery Patient Participation Group	*£12,200
T	Enhanced Access for People with Disabilities at 3rd Hayling Scout Group	£8,000
W	YMCA Emsworth, Redlands Grange	£200,000
	Total Proposed Spend from 'Coastal Communities' Neighbourhood Fund	£226,200
*funding to cover medical infrastructure only		

West of the A3(M)

Bid No	Project	CIL Allocation
A	Acorn Community Centre extension - Wecock Community Association	£87,880
M	Elstead Gardens to Ladybridge Road path (PAWARA)	£11,950
	Total Proposed Spend from 'West of the A3(M)' Neighbourhood Fund	£99,830

Wider Havant

Bid No	Project	CIL Allocation
C	Artificial cricket pitch at Bidbury Mead, Bedhampton Mariners Cricket Club	£5,460
D	Citizens Advice Centre and Help Hub	£55,000
J	HAMESH Men's Shed relocation and expansion	£15,000
O	Energy Efficiency Improvements at The Spring Arts Centre	£32,050
R	Refurbishment of Conservatory and Lounge at Domestic Abuse Refuge	£2,720
V	Widbrook Utd - Bartons Green Store Room	£2,050
	Total Proposed Spend from "Wider Havant" Neighbourhood Fund	£112,280

32 Closure of Civic Plaza Car Park Redevelopment Project

The Leader introduced the report.

Mr Comlay delivered a deputation submitted by the Havant Civic Society (attached as Appendix 1 to these minutes.)

In reply to a question it was confirmed that the information gleaned during the procurement and site investigations would be retained and could be used in the future.

In response to the deputation submitted, Cabinet reassured that the sale of Brockhampton West had not been rushed in order to fill a funding gap and that regeneration through an interventionalist approach remained a key aim of the administration.

Proposed by Cllr Wilson and seconded by Cllr Inkster it was RESOLVED that Cabinet approve and delegate to the Director of Regeneration and Place:

- (i) Formal closure of the project in its current form;
- (ii) Formal notification to the remaining two bidders that the project will not be proceeding, in line with specialist external advice;
- (iii) Termination of the signed Funding Agreement with Homes England dated 25 January 2019; and
- (iv) Development of an outline business case, for consideration at a future Cabinet meeting, for the comprehensive development of the wider Civic Plaza site (working title to be known as Civic Plaza Plus).

33 Appointments to the Shareholder Sub-Committee

The Leader introduced the item.

Proposed by the Leader and seconded by Cllr Thain-Smith it was RESOLVED that the following members be appointed to the Shareholder's Sub-Committee:

- Cllr Michael Wilson (Leader)
- Cllr Mark Inkster (Cabinet Lead for Finance)
- Cllr Narinder Bains
- Cllr Lulu Bowerman
- Cllr Leah Turner

The meeting commenced at 2.00 pm and concluded at 3.24 pm

.....

Chairman

This page is intentionally left blank

Agenda Item 5

PORTCHESTER CREMATORIUM JOINT COMMITTEE

MINUTES OF A VIRTUAL REMOTE MEETING of the Joint Committee held on Monday 22 March 2021 at 2.00 pm.

Present

Fareham Borough Council

Councillor Michael Ford

Gosport Borough Council

Councillor June Cully (Chairman)

Havant Borough Council

Councillor Leah Turner
Councillor Michael Wilson

Portsmouth City Council

Councillor Dave Ashmore

Welcome and Introductions

The Clerk to the Joint Committee explained the arrangements for the holding of this virtual remote meeting. This was taking place in accordance with the regulations issued by government to allow local authority meetings to take place remotely using video or telephone conferencing technology.

Councillor Michael Ford, appointed by Fareham Borough Council to fill the vacancy following the sad death in December 2020 of Councillor Keith Evans, a long standing member of the Joint Committee, was welcomed to the meeting.

Apologies for Absence (AI 1)

Apologies were submitted on behalf of Councillors Lee Hunt (Portsmouth CC); Simon Martin (Fareham BC)(engaged on other council business); Kathleen Jones (Gosport BC) (engaged on other council business); and Victoria Hatton (Manager and Registrar), Andy Wannell (Treasurer)(engaged on other council business), and Ashley Humphrey (Horticultural Consultant).

882 Declarations of Members' Interests (AI 2) – None

883 Minutes of the Meeting held on 14 December 2020 (AI 3)

RESOLVED that the minutes of the meeting held on the 14 December 2020 be signed as a correct record.

884 Matters Arising from the Minutes not specifically referred to on the Agenda (AI 4) –

(a) Minute 879 - Metals Recycling Charitable Scheme

The Clerk reported receipt of a letter of thanks from the Rowans Hospice for the donation recently made.

The ICCM had recently written seeking nominations for the next round of donations and, in accordance with previous practice, the Clerk would be writing to members to seek views on who they would wish to nominate.

**885 Clerk's Items (AI 5)
Representations regarding the Gardens Clearance**

The Clerk reported receipt of representations regarding enforcement of the Crematorium's gardens clearance arrangements, which he asked members to take into account when dealing with section 9 of the Development Management Plan document later during the meeting.

886 Building Repairs and Renewal Programme (AI 6)

(TAKE IN REPORT OF THE PROPERTY MANAGER)

In submitting the report the Property Manager drew specific attention to the completion of the Book of Remembrance Room and the works programmed for the 2021/22 financial year.

In respect of the refurbishment of the waiting rooms, and in response to questions, the Property Manager explained that upgrading the facilities was now timely, given the works previously carried out to both chapels. Consideration was being given to the present seating arrangements, décor and information displays, taking into account feedback. Design proposals would be brought forward for members to consider.

The Property Manager also explained that ideas for the present water feature area were still to be explored, and there would be a report back to members in due course.

RESOLVED that the contents of the report be noted.

**887 Manager and Registrar's Report (AI 7)
General Statistical Reports for December 2020 – February 2021**

(TAKE IN REPORT OF THE MANAGER AND REGISTRAR)

In submitting the report, the Deputy Manager advised members that the uptake of Obitus visual and audio services had exceeded that anticipated. The staff had found the system easy to use, and was a clear benefit to families.

RESOLVED that the report be received and noted.

888 Horticultural Consultant's Report (AI 8)

(TAKE IN REPORT OF THE HORTICULTURAL CONSULTANT)

In the absence of the Horticultural Consultant, Dave Stribling presented the general update on the Crematorium grounds, and took the opportunity to mention that there was a shortage of supply of potted plants for the conservatory.

In response to questions about ground conditions, Mr Stribling advised that it would be necessary to undertake some soil tests to check the level of ph. He commented that at present plants appeared healthy.

RESOLVED that the report be received and approved.

889 Development Management Plan 2021 – 2026 (AI 9)

(TAKE IN REPORT OF THE CLERK TO THE JOINT COMMITTEE)

In submitting his report the Clerk explained that the Plan reviewed and revisited the previous Development Plan approved in March 2019. The Clerk highlighted the material changes and additions to the document, including –

- Section 6.2 – staffing changes;
- Section 6.7 – Response to the Coronavirus Pandemic;
- Section 7 – Developments in Technology;
- Section 13 – Cremation Trends – update of statistical information;

He also referred to representations which had been received recently regarding the Crematorium Garden of Remembrance clearance policy. Members were reminded that the Joint Committee had agreed that in accordance with the long standing policy against the provision of permanent memorials, plaques and other ornaments, the gardens should be cleared every 3 months. Although clearances had been carried out, several items removed to storage were reclaimed by families and re-deposited in the gardens.

Section 9 of the Development Management Plan document was relevant as it dealt with memorials policy.

A letter of representation had been received asking that the Joint Committee should enforce its no memorials policy more vigorously and not allow the replacement of items which had been removed. The complainant, who had spoken to other visitors, said they expressed dismay at the disregard of the regulations to the detriment of the environment and the majority who observed them. Objects left in the gardens detracted from the overall appearance of the gardens but they also led to other families believing they too could place items. The complainant asked that more regular clearances be carried out to enforce the regulations.

The Clerk also advised that in the recent past other representations had been received complaining that items were being removed. Both the Manager and the Clerk had been involved in responding to these complaints explaining clearly the Crematorium's long standing policy. Complainants were also reminded that the application form for cremation signed by families made clear that memorials, plaques, vases, ornaments and artificial flowers are not permitted in the gardens.

Arising from consideration of the Plan (and representations regarding the gardens clearance policy) the following main points arose –

- The long standing no memorials policy was correct and the clearance arrangements must continue to be enforced;
- Memorials left in the gardens took various forms (some like 'shrines') and often spread over areas where other families ashes were scattered, unintentionally causing offence. In turn this deprived other families from placing flowers at the spot where their relatives ashes had been scattered;
- The need to make visitors more aware of the regulations;
- The problems that arose when families planted bulbs in the grounds. This was an issue that could be considered as part of proposals for the future of the area of contemplation;
- The introduction of vases and racking adjacent to the Book of Remembrance Room might hopefully bring about a change of attitude of visitors.

The Clerk advised the Joint Committee that Regulation 10 set out the rules regarding the grounds. However, he suggested, and members agreed, that the current wording of Regulation 10 be redefined in public notices to provide greater clarity and simplification of the requirements of that regulation.

The Clerk also reminded members of the long established management policy that the Manager had authority to take action at her discretion to remove (between general grounds clearances) items that are not permitted to be left in the gardens. Usually a mini sweep of the gardens was undertaken most mornings to remove items that gave rise to health and safety risks or were considered harmful to the environment. To carry out more intensive clearances more frequently would have an impact on staffing and resources.

RESOLVED (1) that the Portchester Crematorium Joint Committee Development Management Plan 2021 - 2026 be approved and adopted.

(2) that the Development Management Plan be next reviewed in 2 years' time.

890 Date of Next Meeting (AI 10)

RESOLVED that the next meeting be held on Monday 21 June 2021 at 2pm

The meeting concluded at 2.50 pm.

Chairman

JH/me
25 March 2021
106220321m.doc

This page is intentionally left blank

**Havant Borough Council
Record of Decision**

Non Key Decision

1. **TITLE:** Hayling Seafront Pay & Display Parking

2. **PURPOSE OF DECISION**

The purpose of this report is to outline proposed changes to the parking regime in car parks along Hayling Seafront. It is proposed that these changes will take effect from 1st April 2021.

3. **DECISION MADE BY:** Cabinet Lead for Neighbourhoods, Safety and Enforcement

4. **DECISION:**

(1) To approve amendments to the period for which parking charges apply;

- Current charging period is: 8am to 6pm
- Proposed charging period: 6am to 10pm

This will apply to all car parks across Hayling Island seafront where charging is currently in place. (see Appendix A)

(2) To approve the introduction of charges at the Sinah Gun Site, Hayling Island. The charging period for this site to be aligned with proposal (1) above.

Changes set out in points (1) and (2) to be effective from 1st April 2021.

5. **DOCUMENT CONSIDERED:** Hayling Seafront Pay & Display Parking
Delegated Decision - Parking Times - Hayling & Gun Site Charges V3 (Mar 21)
Delegation - Hayling seafront car parks Appendix A (Mar 21)
Delegation - Hayling seafront car parks - Appendix B (Mar 21)

Decision Status	Date of Decision Made	Call In Expiry Date
Recommendations Approved (subject to call-in)	03/03/21	11/03/21

This page is intentionally left blank

**Havant Borough Council
Record of Decision**

Non Key Decision

1. **TITLE:** Extension for three years of existing Public Space Protection Order (Dogs)

2. **PURPOSE OF DECISION**

That the existing Public Space Protection order (dogs) which was issued in April 2017 and extended for one year in April 2019 be further extended until 30th April 2024.

That the fixed penalty notice for breaching the order be increased from £80 to £100.

3. **DECISION MADE BY:** Cabinet Lead for Neighbourhoods, Safety and Enforcement

4. **DECISION:**

That the existing Public Space Protection order (dogs) which was issued in April 2017 and extended for one year in April 2019 be further extended until 30th April 2024.

That the fixed penalty notice for breaching the order be increased from £80 to £100

5. **DOCUMENT CONSIDERED:** Extension for three years of existing Public Space Protection Order (Dogs)
Cabinet Lead delegated decision PSPO 2021
HVdogs for EB

Decision Status	Date of Decision Made	Call In Expiry Date
Recommendations Approved (subject to call-in)	04.03.21	11.03.21

This page is intentionally left blank

**Havant Borough Council
Record of Decision**

Non Key Decision

1. **TITLE:** Extension for three years of the existing Public Space Protection Order Waterlooville Precinct (Feeding Pigeons) under the Anti-social Behaviour, Crime and Policing Act 2014

2. **PURPOSE OF DECISION**

That the existing Waterlooville Precinct, Public Space Protection order (feeding of pigeons) which was issued in April 2018, be extended until 30th April 2024.

3. **DECISION MADE BY:** Cabinet Lead for Neighbourhoods, Safety and Enforcement

4. **DECISION:**

That the existing Waterlooville Precinct, Public Space Protection order (feeding of pigeons) which was issued in April 2018, be extended until 30th April 2024.

5. **DOCUMENT CONSIDERED:** Extension for three years of the existing Public Space Protection Order Waterlooville Precinct (Feeding Pigeons) under the Anti-social Behaviour, Crime and Policing Act 2014

Decision Status	Date of Decision Made	Call In Expiry Date
Recommendations Approved (subject to call-in)	04.03.21	11.03.21

This page is intentionally left blank

NON-EXEMPT

HAVANT BOROUGH COUNCIL

CABINET

7 April 2021

Revised Safeguarding Policy and New Modern Slavery Statement

FOR DECISION

Cabinet Lead: Communications and Communities, Cllr Alex Rennie

Head of Service: Head of Housing and Community Engagement, Tracey Wood

Key Decision: No

Report Number: HBC/031/2020

1. Purpose

1.1. This paper is submitted to Cabinet for a policy decision.

2. Recommendation

2.1. Cabinet is recommended to adopt the revised Safeguarding Children and Vulnerable Adults Policy and new Modern Slavery Statement to ensure the council fulfils its statutory obligations under Section 11 of the Children Act 2004 and Section 54 of the Modern Slavery Act 2015.

3. Executive Summary

3.1. Under Section 11 of the Children Act 2004 the council is required to update its Safeguarding Policy regularly (every 3 years). The current policy (Appendix A) has received minor updates annually to reflect changes in legislation and guidance locally and nationally but has not been fully updated since 2016. A revised policy (Appendix B) has been written to address this.

3.2. The Safeguarding Policy sets out how the council's functions, and any services contracted out to others, are discharged having regard to the need to safeguard and promote the welfare of children and vulnerable adults.

3.3. The council does not have a Modern Slavery Statement at present, but is required to have one under Section 54, of the Modern Slavery Act 2015.

3.4 The new Modern Slavery Statement (Appendix C) sets out the council's actions to understand all potential modern slavery risks related to its business and to put in place steps that are aimed at ensuring that there is no slavery or human trafficking within the organisation, its supply chains or in its linked business activities.

3.5 Modern slavery is one of the ten main types of abuse in adult safeguarding identified within the Care Act 2014. This type of abuse, therefore, comes under the umbrella of safeguarding and concerns must be raised in conjunction with the procedures set out in the Safeguarding Policy.

3.6 The Modern Slavery Statement has been written using guidelines set out by the Home Office and Local Government Association. Neighbouring district and borough councils shared their statement templates and good practice to inform the creation of the council's statement. The Head of Strategic Commissioning has been consulted regarding wording to ensure it reflects current council practice.

4. Additional Budgetary Implications

4.1 None

5. Background and relationship to Corporate Strategy and/or Business Plans

One of the five themes from the Havant Borough Council Corporate Strategy 2020-2024 includes: 'A safe environment, healthier and more active residents.' The national guidance which relates to safeguarding children (Working Together to Safeguard Children 2018) and adults at risk (The Care Act 2014) both highlight the need to protect against the risk of, or experience of abuse, ensure safety within care and promote health and wellbeing. The national guidance underpins the revised Safeguarding Policy.

5.1. Evidence contained within the Havant Borough Council Corporate Strategy 2020-2024 states that by 2025, there will be 141 elderly people for every 100 children in Havant. Older people may be at higher risk of some conditions that can lead to care and support needs developing according to the Hampshire Safeguarding Adults Board. This highlights the need for staff awareness of signs/ symptoms/ indicators of abuse, or neglect (including self-neglect) and how to report concerns in line with the Safeguarding Policy.

6. Options considered

6.1. It is recommended that the Safeguarding Children and Vulnerable Adults Policy and Modern Slavery Statement are noted by Cabinet. They are statutory and underpin what is expected of the council, its staff and members in relation to safeguarding customers and preventing modern slavery in its supply chains.

6.2 If a revised policy and new statement are not agreed then the council will not be compliant with Section 11 of the Children Act 2004, or Section 54 of the Modern Slavery Act 2015.

7 Resource Implications

7.1 **Financial Implications:** Both the policy and statement can be delivered using existing resources so do not require funding from a cost centre.

Section 151 Officer comments: None

Date: 12.01.21

7.2 **Human Resources Implications:** Resourcing of this work can be managed in-house by existing staff. All teams across the council that have contact with members of the public are required to read and understand the Safeguarding Policy. This is a mandatory target reflected in staff appraisals. There is a 6 monthly rolling programme of new starter training and 3 yearly refresher training that ensures staff and Councillors are kept up to date with safeguarding developments complimented by regular communications. The Modern Slavery Statement will apply to any teams that procure services. A briefing on this coupled with all staff communications will be delivered to raise awareness across the council. The Modern Slavery Statement should be published each financial year, so this along with the Safeguarding Policy will be reviewed and updated annually.

7.3 **Information Governance Implications:** Safeguarding concern forms require personal, identifiable information/data and/or personal sensitive or confidential information/data to be collected about an individual. This was a requirement prior to the policy review. The revised policy supports how this should be carried out to ensure compliance with GDPR and the Data Protection Act 2018.

8 Legal Implications

8.1 Implementation and regular review of the Safeguarding Policy and Modern Slavery Statement enables the Council to demonstrate compliance with its obligations under the Children Act 2004, the Care Act 2014 and the Modern Slavery Act 2015.

Monitoring Officer comments: None

Date: 11.01.21

9 Risks

9.1 If staff and members are not clear about their responsibility to share information with relevant protection authorities this could result in significant harm, or the death of a member of the public of whom we have been in contact with.

10 Consultation

- 10.1 This report has been prepared in consultation with the Cabinet Lead for Communications and Communities: Cllr Alex Rennie.
- 10.2 The Safeguarding Policy formalises arrangements in existence. Relevant teams have been consulted, so necessary procedures could be put in place to ensure the revised policy and any local and national guidance is reflected in practice.
- 10.3 Current procurement and contract arrangements have been reviewed and updated to ensure they reflect the contents of the Modern Slavery Statement.

11 Communication

- 11.1 Once agreed, the Safeguarding Policy and Modern Slavery Statement will be added to the council's intranet system. Staff and Councillors will be notified of the revised policy and new statement via internal communications. Both will be added to the council website to enable public viewing.

12 Appendices

Appendix A- Safeguarding Children and Vulnerable Adults Policy (2016)
Appendix B- Safeguarding Children and Vulnerable Adults Policy (2020)
Appendix C- Modern Slavery Statement (2021)

13 Background papers

- 13.1 None

Agreed and signed off by:

Cabinet Lead for Communications and Communities: Cllr Alex Rennie 12.02.21
Director: Simon Jenkins 16.01.21
Deputy Monitoring Officer: Mark Watkins 11.01.21
Section 151 Officer: Lydia Morrison 12.01.21

Contact Officer

Name: Lara Nolan (Safeguarding Officer)
Telephone: 01730 234 186
Email: Lara.Nolan@easthants.gov.uk

Havant Borough Council

Adult and Child Safeguarding: Full Policy & Procedures

Summary

This policy details the procedures which all Council staff and elected members must become familiar with and follow when they have concerns that about the welfare of child, young person or adult at risk.

The Council's operational and management Lead for adult and child safeguarding is:

Harriet Scotney (Neighbourhood Quality Officer)

Tel: 02392 446606

email: Harriet.Scotney@havant.gov.uk

The Council's operational and management Deputy for adult and child safeguarding is:

Tracey Wood, Service Head of Housing & Community Engagement

Tel: 023 9244 6626

Email: Tracey.Wood@easthants.gov.uk

When there are safeguarding concerns about a child, young person or adult at risk ALL council staff and elected members will immediately assess if the person is currently safe and if not contact the police on 999

They will then contact their:

- i. relevant line manager without delay and
- ii. if relevant, preserve any evidence, factually record their concerns in writing on the same day, on the Council's safeguarding concern form; timed, dated & signed, including job role
- iii. co-operate with any following requests for action from either the relevant council's Safeguarding Lead, Deputy, Head of Service or external agencies
- iv. maintain confidentiality at all times, including colleagues, family and friends

In the rare circumstance that staff and /or members do not feel their concerns have not been taken seriously, or not referred or managed appropriately in line with this policy, they may "whistle blow" directly to:

Children's Reception Team at
Hantsdirect
Or if out of hours: 0300 555 1373

Or

Hampshire Adult Services
0300 555 1386
Or if out of hours: 0300 555 1373

Or, if a crime has, or may have been committed, the police can be contacted on 101.
In an emergency the police should be contacted on 999 without delay.

Index

Section Heading	Page no:
1. Policy Statement	3
2. Definitions	5
3. Legislation and Statutory Guidance	5
4. Roles and Responsibilities	5
5. Safer Recruitment	9
6. Monitoring Systems	14
7. What is Abuse?	15
8. Mental Capacity	19
9. Handling Disclosures	20
10. e-safety	25
11. Specific Issues	27
12. Policy Date and Review Schedule	29

Adult and Child Safeguarding: Full Policy & Procedures

The purpose of this policy is to outline the procedures to be adopted by the council in ensuring the safety of all children, young people and adults at risk, when they attend or access any of the Councils' services and activities

1. Policy Statement

- a. The welfare of all children, young people and adults at risk is of paramount importance, regardless of their age, ability, culture, disability, gender, race, religion or belief.
- b. Havant Borough Council (HBC) is committed to ensuring that everyone, both individuals and organisations, are clear about their roles and responsibilities. The council will actively promote the welfare of all children, young people and adults at risk by working to the best possible safeguarding standards across all their services, activities and assets.
- c. The Council's legal responsibilities for child safeguarding are detailed in [Section 11 of the Children Act 2004](#) which;
"places a duty on local authorities and district councils that provide children's and other types of services, including children's and adult social care services, public health, housing, sport, culture and leisure services, licensing authorities and youth services. Safeguarding is everyone's responsibility: For services to be effective, each professional and organisation should play their full part; and have a child-centred approach.

and defines safeguarding and promoting the welfare of children as:

- i. *protecting children from maltreatment;*
- ii. *preventing impairment of children's health or development*
- iii. *ensuring that children grow up in circumstances consistent with the provision of*
- iv. *safe and effective care; and*
- v. *taking action to enable all children to have the best outcomes*

[Working Together to Safeguard Children 2015 A guide to inter-agency working to safeguard and promote the welfare of children](#)

- d. The Council's legal responsibilities for adult safeguarding are detailed in [Sections 42-46 of the Care Act 2014](#) which has 6 key principles:
 - i. *"Empowerment:*
People being supported and encouraged to make their own decisions and informed consent.
 - ii. *Prevention:*
It is better to take action before harm occurs.
 - iii. *Proportionality:*
The least intrusive response appropriate to the risk presented.

- iv. *Protection:*
Support and representation for those in greatest need.
 - v. *Partnership:*
Local solutions through services working with their communities. Communities have a part to play in preventing, detecting and reporting neglect and abuse.
 - vi. *Accountability:*
Accountability and transparency in safeguarding practice.”
- e. The aims of adult safeguarding are to:
- i. *prevent harm and reduce the risk of abuse or neglect to adults with care and support needs*
 - ii. *stop abuse or neglect wherever possible*
 - iii. *safeguard adults in a way that supports them in making choices and having control about how they want to live*
 - iv. *promote an approach that concentrates on improving life for the adults concerned*
 - v. *raise public awareness so that communities as a whole, alongside professionals, play their part in preventing, identifying and responding to abuse and neglect*
 - vi. *provide information and support in accessible ways to help people understand the different types of abuse, how to stay safe and what to do to raise a concern about the safety or well-being of an adult address what has caused the abuse or neglect”*

[Care and Support Statutory Guidance issued under the Care Act 2014](#)

- f. This policy has been developed in line with the both Council's [public sector equality duties](#) under the [Equality Act 2010](#)

N.B. This policy reflects the current services and activities supplied by the Council, and will be reviewed if new initiatives working directly with children, young people, adults at risk and their families or carers are established.

2. Definitions

a. For the purpose of this policy:

i. A “child” is any person under the age of 18 years.

ii. An “adult at risk” is defined as:

- having needs for care and support *and*
- is experiencing, or is at risk of, abuse and neglect *and*,
- as a result of those care needs, is unable to protect themselves from either the risk of, or the experience of, abuse or neglect.

iii. “The Council” refers to Havant Borough Council (HBC)

3. Legislation and Statutory Guidance

a. This policy is developed in line with the under-pinning key legislation, government and statutory guidance for:

Children & young people:

- Children Act [1989](#) and [2004](#)
- Working Together to Safeguard Children 2018
- [What to do if you're worried a child is being abused 2015](#)

Adults at risk:

- [The Mental Capacity Act 2005](#)
- [The Care Act 2014](#)
- [Care and Support Statutory Guidance under the Care Act 2014](#)

Where relevant, other legislation and guidance is referenced under the appropriate headings within the policy.

This policy also meets the requirements of both the Hampshire Local Safeguarding Children Partnership (4LSCP) and Hampshire Safeguarding Adults Board (HSAB).

4. Roles and Responsibilities

a. The Council’s operational and management Lead for adult and child safeguarding is:
Harriet Scotney (Neighbourhood Quality Officer)
Tel: 02392 446606
Email: Harriet.Scotney@havant.gov.uk

The Council’s operational and management Deputy for adult and child safeguarding is:
Tracey Wood, Service Head of Housing & Community Engagement
Tel: 023 9244 6626
Email: Tracey.Wood@easthants.gov.uk

The Council’s operational and management Lead and Deputy for safeguarding are responsible for the management of safeguarding the Council’s services, activities and assets.

b. The Lead and deputy will:

- i. monitor concerns arising in any of the Council's activities, staffing and venues
- ii. liaise with external agencies as required
- iii. support staff where necessary

- iv. ensure staff record their concerns appropriately (on the Council's safeguarding concern form) on the same working day, factually, timed, dated & signed, including job role
- v. record what was discussed when staff have concerns, and to whom, including external agencies the matter has been referred: name, job role and agency, any actions agreed; timed, dated & signed, including when it is decided not to make a referral at this time
- vi. confirm any referral in writing within 24 hours in the format requested by the agency including a copy of the member of staff's safeguarding record of concern
- vii. co-operate with any subsequent requests for information or action from any agencies including assessments
- viii. liaise with external agencies regarding any allegations or complaints against staff or elected members, or when safeguarding issues may attract media attention or litigation
- ix. maintain confidentiality at all times, including family and friends
- x. to Support staff to refer any welfare concerns regarding children or young people to:
 - Children's Reception Team at Hantsdirect, Tel: 0300 555 1384 (during office hours if the matter is urgent). Tel: 0300 555 1373 (out of hours if the matter is urgent)
 - Or use this link and click 'Inter Agency Referral Form (IARF) if nonurgent <https://www.hants.gov.uk/socialcareandhealth/childrenandfamilies/contacts>
 - Or the police on 101
 - In the case of an emergency, or if it is felt someone is in immediate danger, 999 will be dialled
- xi. refer any welfare concerns regarding adults at risk to:
 - Hampshire Adult Services
 - 0300 555 1386 (during office hours)
 - Tel: 0300 555 1373 (out of hours)
 - Or the police on 101
 - In the case of an emergency, or if it is felt someone is in immediate danger, 999 will be dialled
- c. In all cases where there have been safeguarding concerns, complaints or allegations raised against a member of staff or an elected member, the Council's Lead (or Deputy if the Lead is unavailable or implicated) will directly contact:

For children: <ul style="list-style-type: none"> The Local Authority Designated Officer (LADO) Barbara Piddington Tel: 01962 876364 Fax: 01962 876229 (secure line) 	For adults at risk: <ul style="list-style-type: none"> Hampshire Adult Services 0300 555 1386 Or if out of hours: 0300 5551373
---	---

In an emergency or, someone is in immediate danger, 999 should always be called.

- d. When there are safeguarding concerns about a child, young person or adult at risk ALL council staff and elected members will immediately assess if the person is currently safe and if not contact the police on 999

They will then contact their:

- i. relevant line manager without delay if they have any concerns about a child, young person or adult at risk
and;
 - ii. if relevant preserve any evidence factually record their concerns in writing, on the same day, on the Council's safeguarding concern form; timed, dated & signed, including job role
 - iii. co-operate with any following requests for action from either the relevant council's Lead, Deputy, Head of Service or external agencies
 - iv. maintain confidentiality at all times, including colleagues, family and friends
- e. When there is a safeguarding concern, complaint or allegation that a member of staff or elected member has, or might, pose a danger to children, young people or adults at risk ALL council staff and elected members will contact the:
- i. Council's Lead (or Deputies if the Lead is unavailable) without delay, and;
 - ii. observe points ii - iv of section '4d' above.

f. "Whistleblowing"

When staff, elected members or the public are worried:

- i. that a child or an adult is at risk of being, or has been, abused by a member or members of the Council's staff *AND* that:
- ii. their concerns have not been taken seriously, or not referred or managed appropriately in line with this policy, they may "whistle blow" directly, under the [Public Interest Disclosure Act 1998](#) to:

Children's Reception Team at Hampshire Adult Services

Hantsdirect

0300 555 1386

0300 555 1384

Or if out of hours: 0300 5551373

Or, if a crime has, or may have been committed, the police can be contacted on 101.

In an emergency the police should be contacted on 999 without delay.

- iii. The Council will evidence that the "whistleblowing" procedure is being used appropriately to improve outcomes and that issues raised by staff are fully investigated and recorded accurately.

g. Confidentiality and Information Sharing

Both Councils are extremely mindful of their legal duties under the [Data Protection Act 1998](#) and the [Freedom of Information Act 2000](#); and personal information about children, young people, adults at risk and their families will usually be confidential and should not be disclosed to a third party without the consent of the subject. However, the law allows for the disclosure of confidential information where this is necessary to safeguard a child,

young person or adult at risk; or a crime has or may have been committed, or it is in the public interest.

Disclosure of confidential information must be justifiable, according to the facts of the case and must be limited to those people who need to know in order to take appropriate action.

Obtaining the consent of the adult at risk for a referral or alert

In line with [Hampshire Adult Safeguarding Board Multi-Agency Safeguarding Policy and Guidance](#) staff and elected members will be mindful of

"the mental capacity of an adult and their ability to give their informed consent to a referral being made and action being taken under these procedures is significant, but not the only factor in deciding what action to take. The test of capacity in this case is to find out if the person at risk has the mental capacity to make informed decisions about:

- *A safeguarding alert*
- *Actions which may be taken under multi-agency policy and procedures*
- *Their own safety or that of others, including an understanding of longer term harm as well as*
- *immediate effects*
- *Their ability to take action to protect themselves from future harm."*

Raising an alert when the adult does not want any action

"If the adult has capacity and does not consent to a referral and there are no public or vital interest considerations, they should be given information about where to get help if they change their mind or if the abuse or neglect continues and they subsequently want support to promote their safety. The referrer must assure themselves that the decision to withhold consent is not made under undue influence, coercion or intimidation. The adult will need to be informed that an alert will still need to be raised and as a minimum a record must be made of the concern, as well as the adult's decisions with reasons. A record should also be made of what information the person at risk was given."

Note:

Not all adult safeguarding concerns will result in a safeguarding process and an adult may just request signposting to another service. To prevent a delay in raising concerns, alerts or referrals to the Local Authority should usually be made by contacting:

Hampshire Adult Services on 0300 555 1386

h. Making Safeguarding Personal

The Council is committed to the principles of making safeguarding personal and empowering adults at risk to improve or resolve their situations and, where necessary, will use the [Making Safeguarding Personal Toolkit \(4th Edition, Local Government Association, 2015\)](#).

5. Safer Recruitment

Whilst few posts within the Council involve directly supervising or working with children, young people and adults at risk, many posts involve contact with the general public and give opportunity for staff to nurture relationships with vulnerable groups.

- a. All Council staff will:
 - i. be recruited as safely as possible, proportionate to their job role and contact with vulnerable groups
 - ii. receive induction safeguarding information within two weeks of appointment, detailing this policy and procedures
 - iii. attend child and adult safeguarding training, including mental capacity awareness, every three years face to face (or two years for online) as appropriate to their job roles
 - iv. treat all children, young people, adults at risk, their families and carers with respect
 - v. do everything they can to ensure their services are delivered safely and with care
 - vi. respond to any safeguarding concerns and allegations appropriately
 - vii. understand how to “whistleblow” if worried about that a safeguarding concern has not been managed appropriately in line with this policy
- b. The council will meet key safeguarding standards for recruitment with all managers/recruiters understanding and following these standards, with disciplinary consequences of non-compliance and by focussing on safeguarding as appropriate to job role throughout the process of recruitment and beyond by:
 - i. maintaining a central staff tracking record to give an overview for all staff detailing name, date of birth, address, next of kin, job role, application date, interview dates, references taken up and dates, right to work in the UK checks, documents seen, issue numbers and dates, DBS checks and dates, induction delivered and date, ongoing training records and supervision or appraisal dates as relevant
 - ii. issuing full and detailed job descriptions including a responsibility for safeguarding if appropriate to job role
 - iii. ensuring all advertisements include a statement which confirms both Councils' commitment to safeguarding and safer employment
 - iv. only using application forms, CVs are not acceptable; including a specific question as to whether the applicant has been subject to any investigation or complaint for vacancies that are "regulated activities" which will need a DBS (Disclosure & Barring Service) check. For jobs where a [DBS](#) may be carried out, this question should be included:

“Criminal Convictions - This post is exempt from the [Rehabilitation of Offenders Act 1974](#) and as such the successful candidate will need to be DBS checked before being confirmed in post. If you are applying for a job supervising, caring for or otherwise connected with people from the following list, you must always declare any convictions for criminal offences, even where they have been spent. For these purposes, this includes working with children, older people, people who are

dependent on alcohol or drugs and people with mental or physical disabilities, illness, injury or deformity, including those who are blind, deaf or without speech. Declaring a criminal conviction will not be taken into account unless relevant to the job”

- v. working to a template outline for interviewing to cover any gaps in employment, discrepancies of information, rechecking if the applicant wishes to declare anything in the light of the requirement of a DBS check (where relevant) and to assess if the applicant has capacity to safeguard vulnerable groups as relevant to job role
- vi. carrying out face to face interviews with a minimum of two interviewers (one who holds current safer recruitment training, if relevant) and recording notes against the template interview outline
- vii. requesting a minimum of two written references including one direct from the last employer, and another who can comment about the applicant's suitability to the post, and following up any discrepancies verbally and recording what was said. Where relevant, referees should be asked if they have any concerns or knowledge about the applicant's suitability with vulnerable groups, including any safeguarding investigations and / or disciplinary issues
- viii. when employing agency staff, always taking up references from the last place of employment
- ix. in accordance with the [Asylum and Immigration Act 1996](#), checking the eligibility of all applicants to work in the UK. All applicants are asked to bring along to interview a document to evidence this. This is in the form of either a passport confirming that they are a British citizen or European Economic Area National or a United Kingdom Residence permit. Only original documents must be seen for any check, carefully compared against the application form for discrepancies and the essential details of unique numbers, provider and date of issue should be recorded on the single central staff tracking record
- x. carrying out DBS checks, including a check against the [Barred Childrens' or Adults' List](#) as appropriate for all posts which are regulated activity under the [Safeguarding Vulnerable Groups Act 2006](#) as amended by the [Protection of Freedoms Act 2012](#). In the case of both Councils' services and activities, regulated activity with children includes (but is not limited to) the teaching, training, supervision of children for once a week or more, overnight, or 4 or more times in any 30-day period. Regulated activity with adults includes providing personal care, assistance with finances (if required due to age/ illness/disability) and conveyance to/from a place of care.
- xi. not allowing newly appointed staff to start work without a DBS check in regulated activity without full supervision unless there is documented evidence of an acceptable DBS check, and a documented risk assessment undertaken and approved by an authorised manager carrying out a [Status DBS Update Service](#) check for relevant applicants who are registered with the Update service where the outcome will be one of the following:
 - *"This Certificate did not reveal any information and remains current as no further information has been identified since its issue."* This means that the individual's Certificate contains no criminality or barring information and no new information is available.

- *“This Certificate remains current as no further information has been identified since its issue”*. This means that the individual’s Certificate did contain criminality or barring information and no new information is available.
 - *“This Certificate is no longer current. Please apply for a new DBS check to get the most up to date information.”* This means that the individual’s Certificate should not be relied upon as new information is now available and you should request a new DBS check.
- xii. risk assessing any positive information disclosed on a DBS check, and seeking expert advice from the LADO or DASM where an applicant has been barred from working with vulnerable groups or there is a concern that s/he may be unsuitable to work in regulated activity.
 - xiii. ensuring that, in cases where low level information is received on the criminal records check but where the manager nevertheless wishes to appoint, there must be a clear, recorded risk assessment approved by a senior manager
 - xiv. pursuing any failure to receive an outcome from a checking process and reviewing the employee’s position at regular intervals.
 - xv. making all offers of employment subject to having satisfactory references and any other relevant checks completed within a fair timescale, as appropriate.
 - xvi. ensuring that, in cases where staff side step from non-regulated activity to regulated activity in either Council, a DBS check is carried out before the member of staff begins work
- c. Post-employment
- i. Induction and probationary periods for all employees will facilitate the development of employee understanding and grounding in the safeguarding policies, ethos and culture of the Council;
 - ii. Guidance for safe working practices when in contact with vulnerable groups will be provided to staff and elected members by managers, as appropriate to job role and Service including:
 - Home visits
 - Non-routine events, such as festivals
 - The use, supervision and handling of text and photographic media
 - Appropriate touch
 - One to one working
 - Working in public spaces
 - iii. Both the newly appointed worker and his/her line manager will make a signed record that this part of the induction process has been completed satisfactorily. The record is kept on the single central staff tracking record
 - iv. All employees receive supervision on a regular basis.
 - v. All employees are offered support with professional issues via one to one meetings with their line manager as appropriate.
- d. Staff Training

"employers are responsible for ensuring that their staff are competent to carry out their responsibilities for safeguarding and promoting the welfare of children and creating an environment where staff feel able to raise concerns and feel supported in their safeguarding role;" Working Together to Safeguard Children 2018

Organisations should:

- *"ensure that everyone, both individuals and organisations, are clear about their roles and responsibilities*
- *create strong multi-agency partnerships that provide timely and effective prevention of and responses to abuse or neglect*
- *support the development of a positive learning environment across these partnerships and at all levels within them to help break down cultures that are risk-averse and seek to scapegoat or blame practitioners"*

[Care and Support Statutory Guidance issued under the Care Act 2014](#)

- i. The Council facilitates mandatory training to give a sound understanding of key guidance and practices about safeguarding, updated regularly and embedded in performance management systems;
- ii. All staff and elected members receive induction safeguarding information within two weeks of appointment, detailing this policy, procedures, clear codes of conduct and safe working practice guidelines
- iii. All staff and elected members who deal with the public face to face will attend child and adult safeguarding training every three years face to face (or two years for online) as appropriate to their job roles in line with guidance in Working Together to Safeguard Children 2018 and the [Care Act 2014](#)
- iv. Those who recruit staff will attend additional safer recruitment training every two years.
- v. All managers are accountable for evidencing that such training for themselves, as relevant to their job role; and their staff has been undertaken;
- vi. Relevant training, beyond induction, is mandatory for employees who do not have direct contact with children, young people or adults at risk, but who do have access to information systems containing the details of these client groups.
- vii. Under the [Counter-Terrorism and Security Act 2015](#) and accompanying [Channel Duty Guidance 2015](#) all front line staff and elected members who work directly with the public will also undergo government approved free and certificated [Channel](#) online training.
- viii. The senior managers who lead on safeguarding for the Council will attend face to face local training Workshop to Raise Awareness of Prevent (WRAP) as available
- ix. Under the [Serious Crime Act 2015](#) all front line staff and elected members who work directly with the public will also undergo government approved free and certificated [FGM \(Female Genital Mutilation\)](#) online training
- x. All safeguarding training is delivered by appropriate qualified staff, kept up-to-date, certificated and recorded on the single central staff tracking record, with copies of the certificate kept on the employees' personnel files

e. Safer Working Culture

- i. All employees have an obligation for safeguarding children, young people and adults at risk in their area of work and it is important that these groups are listened to and any concerns in relation to their welfare are acted upon promptly;
- ii. All employees are monitored by their line managers both in the probationary period and beyond to ensure that all staff comply with expected behaviours and attitudes that constitute best practice in relation to safeguarding and their job role
- iii. Such monitoring is evidenced through performance management and professional development arrangements such as training and appraisal systems.
- iv. All staff and elected members will work within their professional boundaries as defined in the Councils' Code of Conduct (employees only) and Code of Members' Conduct; and ensure they work with the public professionally, and within the law, at all times

f. Complaints

- i. A rigorous complaints policy is in place for the Council to ensure that all concerns about staff conduct are reported and acted upon in a fair and timely manner; this includes those against drivers, premises and licence holders
- ii. The Council will evidence that the complaints procedure is being used appropriately to improve outcomes and that complaints are fully investigated and recorded accurately.

g. Managing Allegations Against Council Staff or Elected Members

The Council will make clear distinction between an allegation, a concern about the quality of care or practice or a complaint. and when there is a safeguarding concern, complaint or allegation that a member of staff or elected member 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; or
- behaved towards a child or adult at risk in a way that indicates they may pose a risk of harm to vulnerable groups

Under the [Safeguarding of Vulnerable Groups Act 2006](#) if an individual (paid worker or unpaid volunteer) is removed from "regulated" activity such as looking after children or adults at risk (or would have, had the person not left first) because the person poses a risk of harm to children or adults at risk , the Council will make a [referral](#) to the DBS . It is an offence to fail to make a referral without good reason.

Under the [Safeguarding of Vulnerable Groups Act 2006](#) if an individual (paid worker or unpaid volunteer) is removed from "regulated" activity such as looking after children or adults at risk (or would have, had the person not left first) because the person poses a risk of harm to children or adults at risk , the Council will make a [referral](#) to the DBS as soon as possible and , in any case, within 5 days of closure of the case . It is an offence to fail to make a referral without good reason.

- i. ALL council staff and elected members will contact the Council's Lead (or Deputy if the Lead is unavailable) without delay. They are the Safeguarding Allegations Management Advisors (SAMA) in line with [Hampshire Safeguarding Adults Board Allegation Framework 2016](#)

S/he will contact:

For children:

LADO Barbara Piddington

Tel: 01962 876364

Fax: 01962 876229 (secure line)

E-mail: child.protection@hants.gcsx.gov.uk

For adults at risk:

Hampshire Adult Services

0300 555 1386

Or if out of hours: 0300 5551373

In cases where a child or adult at risk might be in immediate danger s/he will contact the police on 999.

The Lead or Deputy will follow the latest [LSAB Allegation Management Framework June 2016](#):

- ii. S/he will ensure the person with the direct concern has factually record their concerns in writing and on the same day on the Council's safeguarding concern form; timed, dated & signed, including job role
- iii. S/he will ensure the Council follows the LADO's or Adult Services' advice, fulfils any requests for action and inform the Chief Executive and Head of HR of progress.
- iv. S/he will record the outcomes of discussions on the Council's safeguarding concern form, date, time and signed
- v. The LADO or Adult Services will advise on next steps, media management, communication with other staff, safeguarding risk assessments, possible suspension of the member of staff or elected member and, for those in regulated activity possible referral to the DBS which should be made within 5 days of the closure of the case at the latest
- vi. The Council's Lead (or Head of HR) will ensure that the staff involved will be made aware of their rights under employment legislation and any internal disciplinary procedures.

For the most current local arrangements for managing such allegations refer to:

For children:

Hampshire [Local Safeguarding Children Board \(LSCB\)](#)

For adults at risk:

Hampshire [Safeguarding Adults Board \(LASB\)](#)

6. Monitoring systems

- a. Monitoring systems and quality assurance are embedded in the Council's management processes to ensure that this policy is followed through into practice by:
 - Formal audits of sufficient quality and quantity being conducted regularly, allowing ample time for improvements to be made post audit, with results recorded and reported effectively;
 - Managers monitoring the day to day work environment;
 - Employees demonstrating, where relevant, their commitment to providing a protective environment for children, young people and adults at risk, for example, they monitor the supervision of these groups and demonstrate good practice in relation to physical and /or face to face contact with vulnerable groups.

7. What is Abuse?

a. Children and Young People

Physical Abuse: Physical abuse may involve hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating or otherwise causing significant harm to a child. Physical harm may also be caused when a parent or carer fabricates the symptoms of, or deliberately induces illness in a child.

Emotional Abuse: Emotional abuse is the persistent emotional maltreatment of a child such as to cause severe and persistent adverse effects on the child's emotional development. It may involve conveying to children that they are worthless or unloved, inadequate, or valued only insofar as they meet the needs of another person. It may include not giving the child opportunities to express their views, deliberately silencing them or 'making fun' of what they say or how they communicate. These may include interactions that are beyond the child's developmental capability, as well as overprotection and limitation of exploration and learning, or preventing the child participating in normal social interaction. It may involve seeing or hearing the ill-treatment of another. It may involve serious bullying (including cyber bullying), causing children frequently to feel frightened or in danger, or the exploitation or corruption of children. Some level of emotional abuse is involved in all types of maltreatment of a child, though it may occur alone; may feature age or developmentally inappropriate expectations being imposed on children.

Sexual abuse: Sexual abuse involves forcing or enticing a child or young person to take part in sexual activities, not necessarily involving a high level of violence, whether or not the child is aware of what is happening. The activities may involve physical contact, including assault by penetration (for example, rape or oral sex) or non-penetrative acts such as masturbation, kissing, rubbing and touching outside of clothing. They may also include non-contact activities, such as involving children in looking at, or in the production of, sexual images, watching sexual activities, encouraging children to behave in sexually inappropriate ways, or grooming a child in preparation for abuse (including via the internet). Sexual abuse is not solely perpetrated by adult males. Women can also commit acts of sexual abuse, as can other children.

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

- provide adequate food, clothing and shelter (including exclusion from home or abandonment);
- protect a child from physical and emotional harm or danger;

- ensure adequate supervision (including the use of inadequate care-givers); or
- ensure access to appropriate medical care or treatment.

It may also include neglect of, or unresponsiveness to, a child's basic emotional needs.

Other Issues Include:

- Children under 16 years old living away from home with someone who is not a close relative. If this happens for more than 28 days, their parent/carer (or anyone else if this has not been done, or not possible) need to register the private fostering arrangements with [Hampshire Children's Services](#)
- Children going missing from home for whatever reason as they may be exploited or trafficked
- Young unaccompanied asylum seekers who have no responsible adults with them
- Peer abuse including bullying as children can be abusers too
- [Radicalisation](#) - understand why people may be vulnerable to being drawn into terrorism and describe indicators which may suggest so and provide guidance on the support that can be provided to safeguard those at risk of being drawn into terrorism.
- Violent extremism is when groups or individuals who condone violence as a means to a political end is a particular risk for some children. Any concerns should be reported
- [Sexual exploitation](#) - Sexual exploitation of children and young people under 18 involves exploitative situations, contexts and relationships where young people (or a third person or persons) receive 'something' (e.g. food, accommodation, drugs, alcohol, cigarettes, affection, gifts, money) as a result of them performing, and/or another or others performing on them, sexual activities. Child sexual exploitation can occur through the use of technology without the child's immediate recognition; for example: being persuaded to post sexual images on the Internet/mobile phones without immediate payment or gain. In all cases, those exploiting the child/young person have power over them by virtue of their age, gender, intellect, physical strength and/or economic or other resources. Violence, coercion and intimidation are common, involvement in exploitative relationships being characterised in the main by the child or young person's limited availability of choice resulting from their social/economic and/or emotional vulnerability.
- [Female genital mutilation](#) - FGM is a criminal offence – it is child abuse and a form of violence against women and girls, and therefore should be treated as such. FGM is a procedure where the female genital organs are injured or changed and there is no medical reason for this. It is frequently a very traumatic and violent act for the victim and can cause harm in many ways. The practice can cause severe pain and there may be immediate and/or long-term health consequences, including mental health problems, difficulties in childbirth, causing danger to the child and mother; and/or death.
- [Forced marriage](#) - Forced marriage is a criminal offence – it is a form of child/ adult/ domestic abuse and has to be treated as such; ignoring the needs of victims should never be an option. Forced marriage affects people from many communities and cultures, so cases should always be addressed using all of your existing structures,

policies and procedures designed to safeguard children, adults with support needs and victims of domestic abuse.

- Concealed pregnancy when a mother of any age does not seek medical help or support, so the unborn baby may be at risk of harm as a result of not accessing maternity services
- [Child trafficking](#) - Children are trafficked for many reasons, including sexual exploitation, domestic servitude, labour, benefit fraud and involvement in criminal activity such as pick-pocketing, theft and working in cannabis farms. There are a number of cases of minors being exploited in the sex industry. Trafficked children may not only be deprived of their rights to health care and freedom from exploitation and abuse, but may also be denied access to education.
- [e-safety](#) - when children, young people or adults at risk may be targeted online for sexual abuse, financial gain, radicalisation and / or other crimes
- [Domestic violence](#) when an individual exercises control over another in an intimate or family relationship. It takes many forms and can include neglect, physical, sexual, financial, property and / or emotional abuse
- [Coercive behaviour](#) in the family or in a person's intimate relationships is a criminal offence. Controlling or coercive behaviour does not relate to a single incident, it is a purposeful pattern of behaviour which takes place over time in order for one individual to exert power, control or coercion over another. It is a pattern of acts of assault, threats, humiliation and intimidation or other abuse that is used to harm, punish, or frighten their victim.
- [Modern slavery](#) - Modern slavery is a complex crime that takes a number of different forms. It encompasses slavery, servitude, forced and compulsory labour and human trafficking. Traffickers and slave drivers coerce, deceive and force individuals against their will into a life of abuse, servitude and inhumane treatment. Victims may be sexually exploited, forced to work for little or no pay or forced to commit criminal activities against their will. Victims are often pressured into debt-bondage and are likely to be fearful of those who exploit them, who will often threaten and abuse victims and their families. All of these factors make it very difficult for victims to escape.
- Child abuse linked to faith or belief which includes belief in concepts of witchcraft and spirit possession, demons or the devil acting through children or leading them astray. It includes neglect, physical, sexual and/or or emotional abuse

b. Adults at Risk:

Abuse is defined as a violation of an individual's human and civil rights by another person or persons.

It may involve:

a single or repeated act or omission occurring within a personal or professional relationship whether there is an expectation of trust which causes harm to an adult at risk.

Significant harm includes:

- ill-treatment (including sexual abuse and forms of ill treatment that are not physical).
- the impairment of, or an avoidable deterioration in, physical or mental health.
- the impairment of physical, emotional, social or behavioural development.

Abuse may be by commission or omission that causes harm to an adult at risk.

Behaviours Include:

Physical Abuse: Hitting, slapping, pushing, kicking, misuse of medication, restraint or inappropriate sanctions.

Sexual Abuse: Rape, indecent exposure, sexual harassment, inappropriate looking or touching, sexual teasing or innuendo, sexual photography, subjection to pornography or witnessing sexual acts, indecent exposure and sexual assault or sexual acts to which the adult has not consented or was pressured into consenting.

Psychological Abuse: Emotional abuse, threats of harm or abandonment, deprivation of contact, humiliation, blaming, controlling, intimidation, coercion, harassment, verbal abuse, cyber bullying, isolation or unreasonable and unjustified withdrawal of services or supportive networks.

Financial or Material Abuse: Theft, fraud, exploitation, pressure in connection with wills, property, inheritance or financial transactions, or the misuse or misappropriation of property, possessions or benefits. It can be online, by phone or face to face.

Neglect and Acts of Omission: Ignoring medical or physical care needs, failing to provide access to appropriate health, social care, welfare benefits or educational services, withholding the necessities of life such as medication, adequate nutrition and heating.

Discriminatory Abuse: Racism, sexism or acts based on a person's disability, age or sexual orientation. It also includes other forms of harassment, slurs or similar treatment such as disability hate crime.

Domestic Abuse: Psychological, physical, sexual, financial, emotional abuse, [coercive behaviour](#) in the family or intimate relationships, and so called 'honour' based violence.

Organisational Abuse: Neglect and poor care practice within a care setting such as a hospital or care home or in relation to care provided in someone's own home ranging from one off incidents to on-going ill-treatment. It can be neglect or poor practice as a result of the structure, policies, processes and practices within a care setting.

Modern Slavery: Encompassing [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.

Self-Neglect: Covers a wide range of behaviour including neglecting to care for one's personal hygiene, health or surroundings and behaviour such as hoarding.

Hate and "Mate" Crime: A form of hate crime in which a vulnerable person is manipulated or abused by someone they believed to be their friend.

Forced Marriage: When one or both spouses do not consent to the marriage but are coerced into it. Duress can include physical, psychological, financial, sexual and emotional pressure. In cases of vulnerable adults who lack the capacity to consent to marriage, coercion is not required for a marriage to be forced.

8. Mental Capacity

- a. The primary purpose of the [Mental Capacity Act 2005](#) is to promote and safeguard decision-making within a legal framework. It does this in two ways:
- by empowering people to make decisions for themselves wherever possible, and by protecting people who lack capacity by providing a flexible framework that places individuals at the heart of the decision-making process
 - by allowing people to plan ahead for a time in the future when they might lack the capacity, for any number of reasons

It is a criminal offence for anyone to ill-treat or wilfully neglect a person who lacks capacity.

- b. It is vital for all Council staff to understand and work to the 5 key principles of Section 1 the [Mental Capacity Act 2005](#):

Principle 1: A presumption of capacity – every adult has the right to make his or her own decisions and must be assumed to have capacity to do so unless it is proved otherwise. This means that you cannot assume that someone cannot make a decision for themselves just because they have a particular medical condition or disability.

Principle 2: Individuals being supported to make their own decisions – a person must be given all practicable help before anyone treats them as not being able to make their own decisions. This means you should make every effort to encourage and support people to make the decision for themselves. If lack of capacity is established, it is still important that you involve the person as far as possible in making decisions.

Principle 3: Unwise decisions – people have the right to make decisions that others might regard as unwise or eccentric. You cannot treat someone as lacking capacity for this reason. Everyone has their own values, beliefs and preferences which may not be the same as those of other people.

Principle 4: Best interests – anything done for or on behalf of a person who lacks mental capacity must be done in their best interests.

Principle 5: Less restrictive option – someone making a decision or acting on behalf of a person who lacks capacity must consider whether it is possible to decide or act in a way that would interfere less with the person's rights and freedoms of action, or whether there is a need to decide or act at all. Any intervention should be weighed up in the particular circumstances of the case.

- c. The [Mental Capacity Act Code of Practice](#) explains how the Mental Capacity Act works on a day-to-day basis and provides guidance to those working with people who may lack capacity. The Code explains the key features of the Mental Capacity Act in more detail, as well as some of the practical steps that people using and interpreting the law need to take into consideration. Any staff who work with people who lack capacity and are a professional and/or are paid for the work they do have a legal duty to have regard to the Code. It is also relevant to unpaid carers who will be helped and guided by it.
- d. Council staff who work directly with the public may have particular questions about:
- an individual's capacity to consent
 - the legal status of a carer's or friend's [Power of Attorney](#) (ability to make a decision on behalf of the person lacking capacity)
 - the appointment of an [Independent Mental Capacity Advocate](#) (IMCA) for an adult who does not have family or friends who can represent them
- and should refer to their Head of Service who will seek advice and guidance from Hampshire Adult Services on 0300 555 1386

9. Handling Disclosures

- a. All staff need to know:

A disclosure may be made verbally or behaviour by a child, young person or an adult at risk and it is important for everyone to remember the following:

- Keep calm
- Reassure the child/ young person/ adult at risk
- Consider who else can hear
- Listen carefully
- Do not ask leading question or promise confidentiality
- Inform your line manager without delay

Remember to record the child/adult's words as accurately as possible and as soon as you can on the safeguarding concern form *Sign/ date/ time, include your name and job role*

Important: The reliance the court will place upon the information obtained from the people involved (particularly from a child) may be reduced if it is known that someone has discussed the issues with the child /adult outside the normal investigation process

- b. Managing concerns about the welfare of a child, young person or an adult at risk
Staff may become concerned by:

- their own observations and concerns;
- being told by another person that they have concerns;
- what the child or adult says;
- what others say;
- what the abuser says;
- a complaint (including anonymous) from the public

Also, staff may not always be working directly with the child or adult at risk but may become concerned because of difficulties experienced by others in their family or close community:

- domestic issues
- mental health issues

substance and alcohol abuse incidents

c. Adults at risk

In all cases when an adult lacks capacity, i.e. cannot make an informed decision about:

- a safeguarding alert / referral
- actions which may be taken under multi-agency policy and procedures
- their own safety or that of others, including an understanding of longer term harm as well as immediate effects
- their ability to take action to protect themselves from future harm.

The concern must be referred to the relevant Line Manager as soon as possible and recorded on the Council's safeguarding concern form.

- Under the MCA, people who lack capacity and are alleged to be responsible for abuse, are entitled to the help of an Independent Mental Capacity Advocate, to support and represent them in the enquiries that are taking place. This is separate from the decision whether or not to provide the victim of abuse with an independent advocate under the [Care Act](#).

If an adult has capacity and does not consent to a referral, s/he should be signposted to sources of help if s/he should change their mind in the future. Staff must assess, where possible, that the adult's decision not to consent has not been made under duress. In any case the concern must still be referred to the Head of Service, recording the concern on the Safeguarding Concern Form, including the adult's decision and what information was given to him/her at the time. Sign/date/time. Include name and job role.

d. Making a Referral

In both cases, the Line Manager will refer the concern to, or seek advice and discuss the situation with Hampshire Adult or Children's services, or the police if a crime has, or may have been, committed. S/he should say "I want to make a child /adult protection referral" and, if ringing social care services ask to speak to a duty social worker.

- S/he should record, on the safeguarding concern form; who was spoken to, if a referral was accepted, or not, with reasons, along with any actions agreed. *Sign/date/time. Include name and job role.*
- A copy of the completed safeguarding concern form should be forwarded to the agency concerned on the same day

e. All Staff Should Remember:

- i. Do not delay.
- ii. Do not investigate.
- iii. Refer to, and seek advice from, the Head of Service as soon as possible.
- iv. Record concerns on the safeguarding concern form.

f. Flowchart for the Referral of Safeguarding Concerns, Complaints and Allegations

Step One

You are concerned a child (0-18), or adult is at risk, or has been abused because:

- You have seen something
- A child, or adult says they have been abused, or wishes to harm themselves e.g. suicide
- Somebody else has told you they are concerned
- An adult has disclosed they are abusing a child, or adult at risk
- There has been an allegation against a member of staff

Step Two

- Talk to your line manager and agree whether information should be shared with Children's, or Adult Services. If your line manager is not available you can seek advice from the Safeguarding Lead, or the Deputy Lead. An Inter-Agency Form (IARF) should be filled out regarding a child (if they are not in immediate danger). Otherwise, telephone: 0300 555 1384.
- <https://www.hants.gov.uk/socialcareandhealth/childrenandfamilies/contacts>
- Concerns regarding adults should be shared with Adult Services by telephone: 0300 555 1386. Call 101 if a child, or adult is in danger, or 999 if it is an emergency. 999 should also be called if a crime may have, or has been committed.

Step Three

- The Safeguarding Concern Form should be completed for all concerns regardless of whether a decision was made to contact Children's, or Adult Services. This can be found on Skoop under: <http://intranet/basic-page/hr-policies-procedures-and-guidance-hbc>. Under 'S' you can also find the threshold chart for concerns regarding children. The full Safeguarding Policy can also be found here.
- If an IARF form was completed, then forward the email receipt from Children's Services to the Safeguarding Lead in place of completing a Safeguarding Concern Form. If a Safeguarding Concern Form was completed then forward this to the Safeguarding Lead with a record of who was spoken to, along with any decisions, or actions agreed.

Notes

In the cases of concern about a member of staff, you should talk to your line manager in the first instance and Safeguarding Lead. If your concern is about an elected member, then you should speak to the Monitoring Officer.

If the employee is in a position of trust, then the LADO (Local Authority Designated Officer), or the DASM (Designated Adult Safeguarding Manager) will co-ordinate the next steps for any staff complaints or allegations. If the adult is not in a position of trust, because they do not work directly with children, then the company's Disciplinary Procedure must be followed.

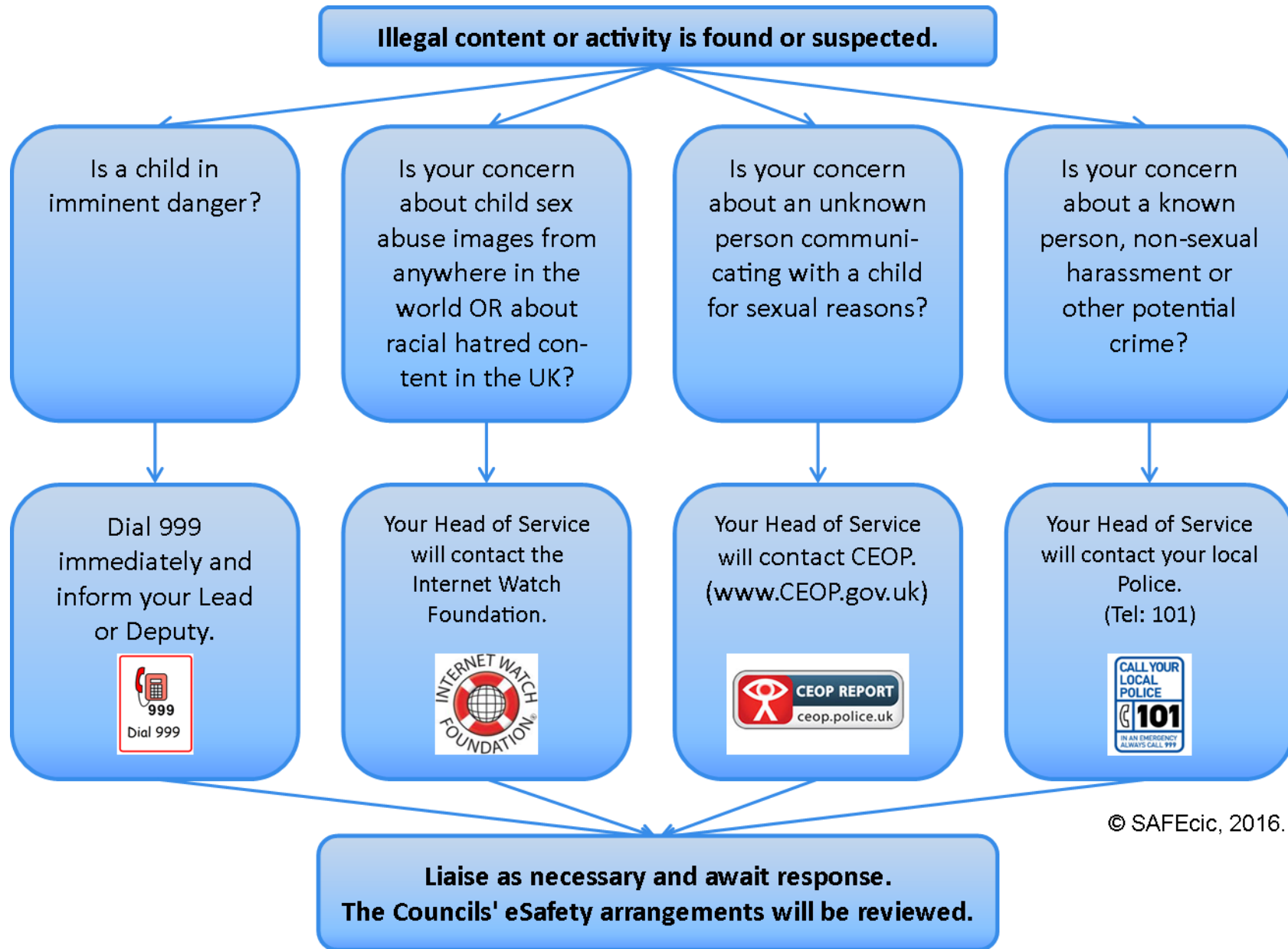
Anyone can “whistle blow” directly to the police or social services if they feel their concerns will not be managed appropriately by the council.

EVERYONE should observe confidentiality with colleagues, family and friends.

10. eSafety

- a. All online safeguarding concerns will be dealt with in line with this policy, particularly in terms of referral and recording procedures
- b. All members of staff and elected members will be advised of the Councils' IT Acceptable User Policy (AUP) policy and will agree to adhere to it.
- c. Staff may become concerned about children, young people and adults at risk if they are:
 - accessing illegal websites or inappropriate "lifestyle" or for their age and ability
 - receiving unwanted or upsetting text or e-mail messages or images
 - being "groomed" by a responsible adult with a view to meeting the child, young person or adult at risk for their own illegal purposes including sex, drugs, radicalisation or crime
 - viewing or receiving socially unacceptable material such as inciting hatred or violence
 - sending or receiving bullying messages or posting malicious details about others
 - scamming for financial gain
 - ignoring copyright law by downloading music, videos
 - becoming secretive about where they are going or who they are meeting
 - secretive about what they are accessing on-line
 - using a phone or pad in a closed area, away from other people
 - accessing the web or using a hand-held device for long periods and at all hours
 - constantly clearing their browsing history
 - receiving unexpected money or gifts from people they meet online
 - "sexting", sending sexually inappropriate images of themselves to others
- d. Staff may become concerned about a member of staff or elected member who:
 - befriends or communicates with members of the public who they work with; especially children, young people and adults at risk, by their personal phone, online, by messaging and social media etc
 - is secretive about what they are doing and who they are meeting
 - takes images of Council's activities with their own phone or pad without permission of their line manager
 - does not seek parental permission for taking images of children and young people under 16 years of age
 - constantly clearing their browser history
 - is viewing adult pornography at work
 - is viewing child pornography at any time
 - is promoting discrimination, illegal acts or racial or religious hatred of any kind
 - sharing confidential or sensitive information
 - circulating or messaging any information which may be offensive

e. eSafety Referral Flowchart



© SAFEcic, 2016.

11. Specific Issues

a. Licensing

The Council has a very clear administration, or an enforcement role, under the

- [Licensing Act 2003](#) for the safeguarding of children and the
- [Gambling Act 2005](#) for the protection of children and other vulnerable persons from being harmed or exploited by gambling and, whilst the police act as the responsible authority in these matters, the Licensing Service team will report any concerns to the appropriate person or organisation.
- Particular attention will be paid to the proprietor's or organisers' safeguarding risk assessments for the licensing of all premises and events
- [Town Police Clauses Act 1847](#) as amended by the [Local Government \(Miscellaneous Provisions\) Act 1976](#) for the licensing of both Hackney and Private Hire Drivers who must supply a satisfactory enhanced DBS check. Any positive information detailed on a DBS check will be risk assessed, with the advice of the LADO or DASM if relevant. Both Councils have a detailed procedure to deal with Hackney and Private Hire Drivers who are convicted of any offences during the term of their licence.

b. Housing and Environmental Health

Front line staff may become aware of housing conditions that could have an adverse impact on children, young people and adults at risk. Under [Part 1 of the Housing Act 2004](#), the Council takes account of the impact of health and safety hazards in housing when deciding on the action to be taken by landlords to improve conditions. The Council takes particular care in safeguarding vulnerable young people who are pregnant, leaving care or a secure establishment

c. Working with the Public

Staff and elected members who work face to face with the public, or visit domestic premises, may become concerned if they observe:

- use of inappropriate language, swearing, bullying or other behaviour by adults in the presence of children, young people or adults at risk
- possible health hazards in the home including animal excrement, cockroaches, discarded needles, mouldy leftovers, etc.
- the nature of any CDs, DVDs, photographs, images etc. which may be in the home depicting the abuse of a child/young person,
- lack of washing facilities, heating, food, beds or bedding, doors in the home
- inadequate electrical wiring, no access to external doors
- young children who sit very quietly without moving for extended periods of time
- homes where there are children but no obvious signs of them or their toys, or a belt, stick or cane kept close to hand
- a change in ability of an adult at risk to pay bills/unexplained shortage of money

d. Unsupervised Children or Adults at Risk

If a young child, under 5 years, or an adult who appears to have no capacity nor ability to look after themselves independently appear to be home alone, or out in public, and

unsupervised, stay in the area and call the police on 999. Inform your Line Manager about the situation and the Police. Record everything on the Safeguarding Concern Form as soon as possible. *Sign/ date/ time. Include name and job role*

e. Work Experience Placements

All managers overseeing work experience should ensure a full risk assessment is in place, in liaison with the school or college. This risk assessment should cover specific activities where the student or supervisor may be more vulnerable including one to one working, transporting a young person in Council vehicles. Students will be inducted with the Council's safeguarding policy and who to contact if they themselves have a safeguarding concern within their placement

f. Public events and Activities

Managers will ensure that there is an appointed Lead and Deputy for safeguarding in attendance on site and a detailed event risk assessment to cover particular safeguarding issues including adult child ratios, managing children's behaviour, coping with medical and other emergencies, photography, children who are found or go missing, one to one working, supervision of toilets and changing rooms,

All staff and volunteers will be briefed about all relevant arrangements

No children under 8 will attend such events unaccompanied by a responsible adult except when the activity is registered with Ofsted, in which case specific procedures will be adopted.

g. Contracted Out Services

All contractors delivering commissioned services directly to the public will confirm adoption of or suggest revisions to the Child and Adult Safeguarding Policy at Schedule 13 of their contract within the first three months of the commencement of the Contract and to adhere to these Council guidelines regarding safeguarding of children, young people and adults at risk. Each contractor is required to have a nominated Safeguarding Officer and Deputy at each venue to cover all operational hours; DBS check all staff in regulated activity and train all staff in safeguarding at the appropriate level for their job role. They also have to inform the Council without delay should there be any allegations of abuse made against their staff involved with any activities or services commissioned by the Council.

12. Policy Date and Review Schedule

This policy was agreed and disseminated on *DDMMYYYY* by the below signatories and will be reviewed annually or when there are substantial organisational or legal changes.

Policy Date: *DDMMYYYY*

Policy Review Date: *DDMMYYYY*

Signed: Signatures, names and job roles.

A separate record for staff signatures should be maintained to evidence they have seen and understand this policy.

TEMPLATE SAFEGUARDING CONCERN REPORT FORM

CHILDREN & YOUNG PEOPLE

This form should be completed factually and ONLY with information already known, take care to highlight anything which is recorded and only opinion or hearsay

Be careful not to investigate, or question the child or young person

Service or department	
Your Name	
Job Role	
Contact number, mobile	
Email	
Child's name	
Child's date of birth	
Child's address	
Parent / carer name & address	
Contact number	
Has the parent/carer's consent been sought for this referral? If not, why not?	
Is this the first concern for this child / young person?	Record details, including dates here
Date and time of concern	
Details of concern, including any witnesses	
Actions taken so far – who referred to	

To be completed by Lead, Deputy or Head of Service:

Name of contact & agency	Name:	Date:
	Tel:	Time:
Was the concern an emergency? Yes / no	Name:	Date:
	Tel:999	Time:
Actions agreed		

If a referral not made	Detail reasons here:
Future actions	
Signature	
Name	
Job Role	
Date	
<p>Remember to maintain confidentiality at all times. Do not discuss this incident with anyone other than those who need to know.</p> <p>NB This form should be kept by the relevant Lead, Deputy or Head of Service and passed to the relevant agency as soon as possible</p>	

TEMPLATE SAFEGUARDING CONCERN FORM

ADULTS AT RISK

This form should be completed factually and ONLY with information already known, take care to highlight anything which is recorded and only opinion or hearsay

Be careful not to investigate or question the adult at risk

Service or department	
Your Name	
Job Role	
Contact number, mobile	
e-mail	
Adult's name	
Adult's date of birth	
Address	
Parent / carer name & address	
Contact number	
Has the adult's consent been sought? If not, why not?	
Is this the first concern for this adult?	Record details, including dates here
Date and time of concern	
Details of concern, including any witnesses	

Actions taken so far – who referred to	
--	--

To be completed by Lead, Deputy or Head of Service:

Name of contact & agency	Name:	Date:
	Tel:	Time:
Was the concern an emergency? Yes / no	Name:	Date:
	Tel:999	Time:
Actions agreed		

If a referral not made	Detail reasons here:
Future actions	
Is this the first concern for this adult?	Record details, including dates here
Signature	
Name	

Job Role	
Date	

Remember to maintain confidentiality at all times. Do not discuss this incident with anyone other than those who need to know.

NB This form should be kept by the relevant Lead, Deputy or Head of Service and passed to the relevant agency as soon as possible

Safeguarding Children and Vulnerable Adults Policy

It is not up to you to decide whether a child or vulnerable adult is suffering harm because of abuse or neglect, but it is up to you to report any concerns as soon as possible.

Contents

1. Introduction.....	3
2. Policy Statement	3
3. Aim of the Policy.....	3
4. Scope of Policy.....	4
5. Prevent.....	5
6. Review.....	6
7. Responsibilities	6
8. Allegations Against Employees or Members	8
9. Funding and Grants.....	9
10. Hiring Facilities to Others	9
11. Tendering and Contracting out Services	9
12. Out of Hours Working	10
13. Confidentiality	10
14. Information Sharing and Record Keeping.....	10
15. Complaints Procedure	10
16. Recruitment.....	11
17. Training	11
18. Safeguarding Children.....	12
19. Safeguarding Vulnerable Adults	14
20. Procedures for Safeguarding Children and Vulnerable Adults	15
23. Safeguarding Code of Conduct and Good Practice.....	17
24. Legislation /Guidance	18
25. Useful Contacts and Sources of information	18
Appendix A	19
Appendix B	22
Appendix C.....	24

Appendices

Appendix A Safeguarding Children Concern Form

Appendix B Safeguarding Adult Concern Form

Appendix C Safeguarding Procedure

1. Introduction

1.1 Havant Borough Council delivers a varied range of services and functions which can bring employees and members into contact with children or vulnerable adults. This could be either as the main part of their role or indirectly when they are carrying out their work such as during a home visit, working outdoors in a public space or seeing customers in a reception area.

1.2 Havant Borough Council recognises that we all have a responsibility to protect children and vulnerable adults and has developed a safeguarding policy which includes the Prevent duties, (Counter Terrorism & Security agenda) to ensure that effective practices are in place for all the councils' activities.

1.3 Havant Borough Council believes that all children and vulnerable adults have the right to be safe, happy and healthy and deserve protection from abuse. The council is committed to safeguarding all children and vulnerable adults using any of its services and involved in any of its activities, and to treat them with respect during their interactions with the council.

1.4 This policy is written in accordance with The Children Act 2004, The Care Act 2014 and associated guidance.

2. Policy Statement

2.1 Havant Borough Council is committed to practices that protect children and vulnerable adults from harm regardless of age, gender, disability, racial heritage, religious belief, sexual orientation or any other protected characteristic as covered by the Equality Act 2010. Employees and members accept and recognise their responsibilities to develop self-awareness of the issues that cause children and vulnerable adults harm.

3. Aim of the Policy

3.1 The aims of the policy are to:

- Clarify the roles and responsibilities of all parties within the scope of the policy.
- Support the promotion of a safe working environment and a culture of care in which the rights of all children and vulnerable adults are protected and respected.
- Promote procedures, codes of conduct and best practice in how employees and members interact with children and vulnerable adults while providing council services.
- Develop clear guidance and procedures for those employees and members working with children and vulnerable adults and ensure through training and support that they are aware of these and can implement them
- Provide a framework for developing partnerships with appropriate external bodies' e.g. Hampshire Safeguarding Children Partnership and Hampshire Safeguarding Adults

Board to ensure that the policy continues to reflect legal and best practice requirements in respect of the responsibility of care of children and vulnerable adults

- Enable information sharing about safeguarding concerns with relevant agencies whilst involving parents/carers, children and vulnerable adults where applicable.
- Support the procedures for the safe recruitment of employees and members in accordance with relevant legislation and guidance.
- Provide effective management for employees through supervision, support and training.

4. Scope of Policy

4.1 The policy is in respect of the council's responsibility towards:

- Children; legally defined as any person under the age of 18 including unborn children (The Children Act 2004). From this point the terms child or children will be used to refer to this group.
- The Care Act 2014 refers to an 'adult at risk' of abuse or neglect with care and support needs however for this policy we will retain the term vulnerable adult.
- The employees of the council who will encounter children or vulnerable adults during their work.
- Members of the borough council when on council business.
- Contractors when carrying out work on behalf of Havant Borough Council.
- The term 'parent/ carer' is used throughout as a generic term to represent parents, carers and guardians for both children and vulnerable adults.
- The policy covers all functions and services of the council.

4.2 Child protection is defined in The Children Act 2004 as:

- Protecting individual children identified as either suffering, or likely to suffer, significant harm because of abuse or neglect.

4.3 Safeguarding and promoting the welfare of children is defined as:

- Protecting children from maltreatment
- Preventing impairment of children's' health or development
- Ensuring that children are growing up and living in circumstances consistent with the provision of safe and effective care
- Taking action to enable all children to have the best outcomes

4.4 It is also important to recognise that in providing services, the council is not acting in loco parentis (in place of the parent)

4.5 Adult Safeguarding is defined in the Care Act 2014 as:

An adult at risk has:

- needs for care and support (whether the local authority is meeting these or not)
- is experiencing, or at risk of abuse or neglect
- and**
- as a result of these needs is unable to protect themselves against the abuse or neglect or risk of it.

4.6 The Mental Capacity Act 2015 and Code of Practice should be adhered to by employees who work with members of the public who lack capacity.

4.7 This policy is to be used in conjunction with the borough council's:

- Equality Policy
- Complaints Procedure
- Disciplinary Policy
- Whistleblowing Policy
- Social Media Policy
- ICT Security Policy
- Lone Working Procedures (individual team versions)
- Recruitment Policy
- DBS Policy
- Code of Conduct

Havant Borough Council is committed to regularly reviewing its policies and good practice.

5. Prevent

5.1 Prevent is a requirement of the Counter Terrorism & Security Act 2015 and places a duty on specified authorities in the exercise of their functions to have due regard to the need to prevent people from being drawn into extremism and terrorism. In accordance with guidance, Prevent is included as part of our responsibilities to safeguard vulnerable groups and when using this policy should be considered in the same context as any other safeguarding concern.

5.2 Extremists are known to target vulnerable children and adults to radicalise them to their ideology.

5.3 Radicalisation is usually a process not an event. During that process, behaviours as well as opinions are likely to change. These changes may be apparent to the friends, families and work colleagues of the person concerned and may include a change of ideology and beliefs held, appearance, language used, peer groups and interests.

5.4 Havant Borough Council is a specified authority and are required to:

- Offer training of staff to understand Prevent
- Report any concerns via the agreed reporting procedure which in Hampshire will follow the same process as used to report safeguarding concerns into the Multi Agency Safeguarding Hub.
- Feed into Channel Panel as required with a multi-agency approach to identify and provide voluntary support to individuals who are at risk of being drawn into terrorism.

6. Review

6.1 This policy and associated guidance will be reviewed annually or whenever there is a change in the related legislation. This will ensure the document is fit for purpose and up to date and compliant with our Section 11 duties of the Children Act 2004 and any other relevant legislation.

7. Responsibilities

7.1 Responsibility for the implementation of this policy lies at all levels of the council. We have a duty to comply with and take part in any multi-agency safeguarding arrangements put in place with regards the vulnerable groups we are working with such as attendance at statutory protection conferences.

7.2 Cabinet are responsible for ensuring that the council has a policy, which adequately provides protection for children and vulnerable adults in receipt of its services and for the regular review of this policy in the light of changes to legislation.

7.3 Members are responsible for ensuring that they are familiar with and understand the policies and procedures relating to their role which may bring them into contact with children and vulnerable adults either directly or indirectly and raise any concerns appropriately.

7.4 Heads of Service are responsible for assisting HR and other related officers in performing their safeguarding functions primarily around:

- Identifying those services and posts that are likely to have an involvement with children and vulnerable adults.
- Ensuring that employees whose duties will involve contact with children or vulnerable adults are screened at the appropriate level and are appropriately qualified and/or trained in working with these groups.
- Ensure a risk assessment is carried out and updated regularly for any staff member who is recruited for whom there has been information released on their DBS.
- Ensuring that all necessary procedures and practices are in place to provide adequate protection both for children and vulnerable adults and protection for the employees working with them.
- Ensuring that proper records are kept of any incidents occurring within their service area and that these are held securely and passed on to the Safeguarding Lead or the Monitoring Officer if the incident involves an employee.
- Ensure managers across their service have undertaken Safer Recruitment Training if they have teams who come in to contact with members of the public.

7.5 Human Resources Service is responsible for:

- Working with Heads of Service in maintaining a record of those posts that are likely to work with children or vulnerable adults and identifying the level of involvement and the appropriate level of screening required.
- Ensuring that recruitment procedures are robust and that information pertinent to working with these groups is obtained during the recruitment procedure.
- Ensuring that all safeguarding and DBS checks are carried out and repeated every 3 years at the level required in respect of every role identified involving contact with children and vulnerable adults.
- Ensuring that employees in contact with these groups are adequately trained and aware of their responsibilities in this area.
- Supporting Heads of Service in dealing with allegations of abuse or lack of care by staff.
- Referring any information about individuals who may pose a risk to the DBS.

7.6 All Employees and particularly those encountering children and vulnerable adults are responsible for:

- Ensuring that they are familiar with and understand the policies and procedures relating to their work which brings them into contact with children and vulnerable adults either directly or indirectly and raise any concerns about their level of knowledge with their managers in order that this may be addressed.
- Treating all children and vulnerable adults with respect when they encounter them whilst carrying out their work.

- Reporting to their manager or the Safeguarding Lead any concerns they may have about abuse or a lack of care of children or vulnerable adults.

7.7 The designated Safeguarding Lead has the responsibility to:

- Provide advice and information relating to safeguarding concerns
- Receive and record information from employees, members, children, vulnerable adults or parents and carers who have safeguarding concerns.
- Assess the information promptly and carefully, clarifying or obtaining more information about the matter as appropriate.
- Ensure a formal referral to a statutory agency or the police has been made without delay and ensure the proper transfer of information relating to dealings with children and vulnerable adults, where necessary.
- Collate information from relevant services to inform a chronology for the purpose of a Local Child Safeguarding Practice Review, or Safeguarding Adult Review.
- Ensure that recommendations from any reviews the council has been involved in are implemented.
- Ensure the councils' safeguarding policies and procedures are up to date and compliant with legislation and guidance.
- Ensure appropriate training is available for employees and members.
- Be responsible for ensuring any internal safeguarding allegations are reported to the Hampshire County Council Local Authority Designated Officer if the staff member is in a position of trust and in accordance with Working Together to Safeguard Children 2018.
- Liaise with the Community Safety Manager regarding Prevent as required.

7.8 The designated Safeguarding Lead should be aware of the local child and vulnerable adult protection networks, the role of the Hampshire Safeguarding Children Partnership and The Hampshire Safeguarding Adult Board and the existence of local safeguarding procedures. It is essential for the designated Safeguarding Lead to have received training in child protection and safeguarding vulnerable adults.

8. Allegations Against Employees or Members

8.1 Where there is an allegation against employees or members concerning children or vulnerable adults in which it is alleged that an employee or member has:

- Behaved in a way that has harmed, or may have harmed a child or vulnerable adult
- Possibly committed a criminal offence against, or related to, a child or vulnerable adult

- Behaved in a way that indicates they are unsuitable to work with children or vulnerable adults.

The following shall apply:

8.2 The Human Resources service will be responsible if the allegation concerns an employee and the normal employment procedures would apply.

8.3 If the allegation relates to a member, the council's Monitoring Officer will be responsible in accordance with the normal procedures relating to an allegation of a failure to comply with the Member Code of Conduct.

8.4 In each case it shall be the responsibility of the Human Resources service or the Monitoring Officer, as appropriate, to make any required report to the Hampshire County Council Local Authority Designated Officer (LADO) for children or Designated Safeguarding Adult Officer for adults. Section 22 sets out further guidance regarding the reporting process.

9. Funding and Grants

9.1 Where organisations and groups that work with children or vulnerable adults apply to the council for grant assistance, the granting of funds will be subject to a safeguarding policy being in place by the recipient organisation checked on application by a self-declaration to this effect. Guidance for organisations or groups regarding adopting a safeguarding policy can be provided by the Safeguarding Lead if needed.

10. Hiring Facilities to Others

10.1 Any hirer who provides activities for children must state this fact on the booking form and sign a self-declaration that they are aware of safeguarding procedures or have their own safeguarding policy in place.

11. Tendering and Contracting out Services

11.1 Any contractor or sub-contractors engaged by the council in areas where workers are likely to encounter children or vulnerable adults, should have its own safeguarding policy in place or failing this, must comply with the terms of this policy.

11.2 All new contracts let by the council which involves services for children and vulnerable adults will include appropriate reference to complying with the policy and that evidence is requested at point of tender and then subsequently checked at periodic intervals.

12. Out of Hours Working

12.1 It is recognised that employees and members work outside of office hours and therefore may have difficulties contacting the Safeguarding Lead. If there is an incident or allegations of abuse outside of office hours, this should be reported directly to the **Hants Direct Out of Hours (Children and Adults Services) Duty team on 0300 555 1373**.

12.2 The employee, member or volunteer should then complete the Safeguarding Children Concern Form (Appendix A) or Adult Concern Form (Appendix B) and contact the Safeguarding Lead at the first opportunity.

12.3 Any out of hours working undertaken by an employee should comply with lone working procedures (for individual teams).

13. Confidentiality

13.1 HBC will act in accordance with information sharing guidance and legislation.

13.2 The legal principle that “the welfare of the child is paramount” means that the considerations of confidentiality that might apply to other situations within the borough council should not be allowed to override the right of the child to be protected from harm. The same applies to vulnerable adults where there is an immediate risk of harm but wherever possible consent from the adult should be obtained before a referral is made unless doing so places the individual at further risk.

13.3 Every effort should be made to ensure that confidentiality is maintained for all concerned both when an allegation is made and whilst it is being investigated. (See Whistle Blowing Policy).

14. Information Sharing and Record Keeping

14.1 Ensure that any information shared is necessary for the purpose for which it is being shared, is shared only with those individuals who need to have it, is accurate and up to-date, is shared in a timely fashion, and is shared and stored securely (marked confidential).

When sharing personal data there must be an identified lawful basis (under Data Protection), which is documented/ recorded, to share that data. Keep a record of the decision and the reasons for it – whether it is to share information or not. If it is decided to share, then record what is shared, with whom and for what purpose. Staff are not required to store safeguarding concern forms once this has been sent to the Safeguarding Lead.

15. Complaints Procedure

15.1 It is important to maintain an open culture where employees, members, children, vulnerable adults and parents/carers feel able to express concerns both about safeguarding children and vulnerable adults and concerns about issues of poor practice when dealing with children and vulnerable adults.

Employees and members can raise concerns about other employees or members by following the Whistle Blowing Policy or other appropriate procedure.

An easy to follow complaints procedure for members of the public including partners, and young people is available on the council's website, or from the council offices.

16. Recruitment

16.1 Through its recruitment procedures for all employees who work directly with children or vulnerable adults, HBC will:

- Check for convictions for criminal offences against children and vulnerable adults in accordance with current legislation.
- Explore each applicant's experience of working or contact with children or vulnerable adults prior to an appointment being made.
- Obtain two references, one of which must be from a current or most recent employer. Qualifications and professional registration will also be verified prior to an appointment being made.
- Undertake any other pre-employment checks, for example confirmation of the applicant's right to work in the UK.

17. Training

17.1 HBC recognises that it has a commitment to ensure that all employees, members and volunteers have a clear understanding of their roles and responsibilities when working with children and vulnerable adults. The council's training process will help them to:

- Be able to recognise signs of abuse and what appropriate course of action should be taken in such circumstances.
- Understand the potential risks to themselves and ensure that good practice is adhered to at all time.
- Have an awareness of Prevent and the referral pathway to report concerns

17. 2 All employees who work directly or indirectly with children and vulnerable adults will be required to have training in the above areas at a level commensurate to their role.

17.3 Training for members will be delivered in accordance to need and relevant guidance.

18. Safeguarding Children

18.1. Recognising Child Abuse

- Recognising child abuse is not easy and it is **not** the responsibility of employees, or members to decide whether abuse has taken place or if a child is at significant risk, they do however have a responsibility to act if they have any concerns.
- Whilst any child could be at risk of abuse, those with disabilities or who are in care (or leaving care) have an increased risk of vulnerability. Therefore, when working with these groups or their families, employees and members need to be mindful of this increased risk factor.

18.2 Recognising what Child Abuse is

There are four main forms of child abuse*

Physical Abuse

Physical abuse may involve actions such as hitting, shaking and burning as well as giving children alcohol, inappropriate drugs or poison. Physical abuse as well as being a deliberate act can be caused by an omission or failure to act to protect.

Emotional Abuse

Emotional abuse is a persistent lack of love and affection. A child may be constantly shouted at, threatened or taunted. This can make the child nervous and withdrawn. Other forms of emotional abuse include excessive overprotection and unrealistic pressure to succeed. Some level of emotional abuse is involved in all types of ill treatment of children although it may occur alone.

Sexual Abuse

Sexual abuse involves forcing or enticing the child or young person to take part in sexual activities whether the child is aware of, or consents to, what is happening. Sexual abuse can involve penetrative acts such as rape, buggery or oral sex or non-penetrative acts such as fondling. It may also involve non-contact activities such as showing pornographic material or encouraging children to behave in sexually inappropriate ways. This includes children and young people up to the age of 18 who are victims of Child Sexual Exploitation (CSE).

Neglect

Neglect is the persistent failure to meet a child's basic physical and or psychological needs. These needs include, for example, adequate food and warm clothing and medical care. Children may be left alone unsupervised. Emotional neglect is when children are deprived of love and affection.

Missing, Exploited & Trafficked (MET)

Children or young people can be exploited for criminal and sexual purposes and this occurs when an individual or group takes advantage of an imbalance of power to coerce, manipulate or deceive for a sexual or criminal activity

- (a) in exchange for something the victim needs or wants
- (b) for the financial or other advantage of the perpetrator or facilitator and/or
- (c) through violence or threats of violence.

The victim may have been exploited even if the activity appears consensual. This does always involve physical contact and can take place using technology.

Trafficking children relates to 'the recruitment, transportation, transfer, harbouring or receipt of a person by means of threat, use of force, coercion, abductions, fraud, deception or abuse of power for the purpose of exploitation'. For the person to be recognised as a victim of trafficking, these three elements must be proven:

- Movement (including within the UK)
- Control, through harm/ threat of harm or fraud
- For exploitation

(Working Together to Safeguard Children HM Gov 2018)

18.2 Indications that a child is being abused:

- Unexplained or suspicious injuries such as bruises, cuts and burns particularly if situated on parts of the body not normally prone to such injuries.
- Injuries for which an explanation seems inconsistent.
- Fear of parents being approached about such injuries.
- Reluctance to get changed e.g. wearing long sleeves in hot weather.
- Flinching when touched or approached.
- A failure to thrive or grow
- Sudden speech disorders
- Difficulties in making friends
- The child is prevented from socialising.
- Sudden or unexplained changes in behaviour.
- Fear of being left with a specific person.
- Sexually explicit behaviour.
- Sexual knowledge beyond their age and developmental level.
- A distrust of adults particularly those with whom a close relationship would normally be expected.
- Constant hunger, sometimes stealing food.
- The child being dirty/smelly and unkempt.
- Loss of weight.
- Inappropriate dress for the conditions.
- Unexplained gifts/expensive hobbies/activities
- Access to illegal substances
- Missing/skipping school/home/events
-

18.3 This list is by no means definitive and it is important to remember that many children will exhibit some of these indicators at some time and the presence of one or more should **not** be taken as proof that abuse is occurring.

18.4 There may be other reasons for changes in behaviour such as a death in the family or the birth of a new baby. It is crucial that this is only a process of observation and that at no point in time should an employee, or member feel that they should be actively investigating abuse or a potential abuser.

18.5 The responsibility of the employee, or member is to ensure that if they have concerns about the welfare of a child, they must report it and must **never** assume that others will do so.

19. Safeguarding Vulnerable Adults

19.1 What is abuse of vulnerable adults?

Physical

Hitting, slapping, pushing, kicking, misuse of medication, restraint or inappropriate sanctions.

Sexual

Rape, indecent exposure, sexual harassment, inappropriate looking or touching, sexual teasing or innuendo, sexual photography, subjection to pornography or witnessing sexual acts, indecent exposure and sexual assault or sexual acts to which the adult has not consented or was pressured into consenting.

Psychological

Emotional abuse, threats of harm or abandonment, deprivation of contact, humiliation, blaming, controlling, intimidation, coercion, harassment, verbal abuse, cyber bullying, isolation or unreasonable and unjustified withdrawal of services or supportive networks.

Financial or material

Theft, fraud, exploitation, pressure (with wills), property, inheritance or financial transactions, or the misuse or misappropriation of property, possessions or benefits.

Neglect and acts of omission

Ignoring medical or physical care needs, failing to provide access to appropriate health, social care, welfare benefits or educational services, withholding the necessities of life such as medication, adequate nutrition and heating.

Discriminatory

Racism, sexism or acts based on a person's disability, age or sexual orientation. It also includes other forms of harassment; slurs or similar treatment such as hate crime.

Domestic abuse

Psychological, physical, sexual, financial, emotional abuse and so called 'honour' based violence.

Organisational abuse

Neglect and poor care practice within a care setting such as a hospital or care home or in relation to care provided in someone's own home ranging from one off incidents to on-going ill-treatment. It can be neglect or poor practice as a result of the structure, policies, processes and practices within a care setting.

Modern slavery

Encompassing 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.

Self-Neglect

Covers a wide range of behaviours including neglecting to care for one's personal hygiene, health or surroundings and includes behaviour such as hoarding.

20. Procedures for Safeguarding Children and Vulnerable Adults

20.1 These procedures seek to ensure that all employees, members and volunteers have a clear understanding of their responsibilities when working with children and vulnerable adults.

20.2 See the steps summarising the procedure for responding to suspicions of abuse against children or vulnerable adults or other concerns relating to the protection of children and vulnerable adults (Appendix C).

20.3 The Hampshire and Isle of Wight Safeguarding Children Partnership and Children's Trust Thresholds Chart can be used by employees to support them when communicating concerns to Children's Services:

<https://www.hampshirescp.org.uk/wp-content/uploads/2019/08/Hampshire-IOW-Thresholds-Chart-July-2019-1.pdf>

20.4 In addition to this 'A Guide to Recognising Neglect in Children' can be used if concerns specifically relate to neglect:

<https://www.hampshirescp.org.uk/wp-content/uploads/2019/11/A-Guide-to-Recognising-Neglect-in-Children-Updated-October-2019.pdf>

20.5 A Community Partnership Information Form can be used to share non urgent information with the Police. This includes when a crime has not been committed and a child/ adult is not at immediate risk:

<https://www.safe4me.co.uk/portfolio/sharing-information/>

20.6 If an employee disagrees with a decision taken by the Safeguarding Lead then they should raise their concerns with the Strategic Safeguarding Lead. If the disagreement is in relation to the outcome of a decision made by Children's Services, or Adult Services then the following protocols can be followed to help resolve the disagreement:

<http://www.hampshiresab.org.uk/wp-content/uploads/Safeguarding-Adults-Escalation-Protocol.pdf>

<https://www.hampshirescp.org.uk/wp-content/uploads/2019/06/4LSCB-Joint-Working-Protocol-for-the-Professional-Challenge-and-Resolution-of-Professional-Disagreement-May-2019.pdf>

21. Responding to allegations and suspicions of abuse to children or vulnerable adults.

21.1 If a child or adult discloses abuse to you directly you must:

- Stay calm.
- Listen carefully.
- 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/ adult to talk and at their own pace and in their own words.
- Ask questions for clarification only and always use open questions that cannot lead.
- Reassure the child/ adult that they have done the right thing 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/ adults' own words as soon as possible. Note the date and time, any names mentioned and to whom the information was given. Ensure that this record is signed and dated.
- Relay this information as soon as possible to the Safeguarding Lead, your line manager or Head of Service.
- All reports should be made using the Safeguarding Children Concern Form, or Safeguarding Adult Concern Form which can be found on Skoop: <http://intranet/basic-page/hr-policies-and-procedures-HBC>

Ref: Safeguarding Children Concern Form (Appendix A) and Safeguarding Adult Concern Form (Appendix B)

21.2 Remember that it is important that everyone at HBC is aware that the person who first encounters a case of alleged or suspected abuse is **not** responsible for deciding whether abuse has occurred. This is the task of the professional agencies following a referral to them. **If you think a child or a vulnerable adult is in immediate danger, then always contact the Police on 999. Report your actions to your line manager and Safeguarding Lead.**

22. Responding to suspicions that an employee, or member may be abusing a child or vulnerable adult or not following the Code of Conduct and Good Practice.

22.1 Any employee, or member who suspects that a colleague, or member may be abusing children/ vulnerable adults or in any way behaving inappropriately, should act on their suspicions. Action should also be taken if it is felt that colleagues are not following the codes of conduct set out in this document. This action will serve not only to protect children/ or vulnerable adults but also colleagues from false accusations.

- Write down the details of the incident following the guidelines in this policy.
- Pass this report to your manager at the earliest opportunity.
- The manager should then take appropriate action to ensure the safety of the child/ adult and of any other child/adult who may be at risk.
- The matter should then be discussed with the Monitoring Officer and if necessary, the Safeguarding Lead and HR, who will then consider whether the matter is an issue relating to poor practice or to child / adult abuse.

- If the matter relates to poor practice, procedures relating to misconduct should be followed. If the matter relates to child / adult abuse the matter should be referred to Children or Adult Services who may involve the Police, and the employee suspended pending the outcome of an internal investigation into the allegations.

22.2 HBC acknowledges that this is an extremely sensitive issue and assures all employees and persons working on its behalf that it will fully support and protect anyone, who in good faith, reports a concern that a colleague is, or may be, abusing a child or vulnerable adult.

23. Safeguarding Code of Conduct and Good Practice

23.1 These guidelines are designed not only to protect children and vulnerable adults but also to protect employees, and members from situations where false allegations may occur.

23.2 Employees and members must:

- Treat all children and vulnerable adults and their possessions with respect.
- Provide an example of good conduct they wish others to follow
- Ensure that whenever possible there is more than one adult present during activities with children and vulnerable adults or that at least they are within the sight or hearing of others
- Respect the child/ vulnerable adult's right to personal privacy and encourage them to feel comfortable enough to point out attitudes or behaviour they do not like.
- Remember that someone else might misinterpret their actions, no matter how well intentioned.
- Be aware that physical contact with a child or vulnerable adult may be misinterpreted and be mindful of why, how and where they make physical contact.
- Recognise that special caution is required when discussing sensitive issues
- Challenge unacceptable behaviour and report all allegations/ suspicions of abuse.
- Be identifiable and have their photo ID card on display
- Keep the child's or vulnerable adult's needs first.

23.3 Employees and members must **not**:

- Have inappropriate physical or verbal contact with children or vulnerable adults
- Make sexually suggestive comments, even in fun
- Make derogatory remarks or gestures in front of children or vulnerable adults
- Jump to conclusions about others without checking the facts
- Exaggerate or trivialise child or vulnerable adult abuse issues
- Show favouritism to individuals
- Ask people to do things that are potentially dangerous, illegal or unreasonable.
- Allow bullying
- Let allegations a child or vulnerable adult makes be ignored or go unrecorded
- Take children or vulnerable adults alone in a vehicle unless in an emergency or with parental consent.
- Take children/ vulnerable adults to their home.
- Meet up with children / vulnerable adults outside of their work with HBC unless it is with the full consent and knowledge of the person's parents / carers and their manager.
- Never enter a house when a child is alone on their own unless the child is in danger.

The points above relate to face to face contact, via telephone and email. The Social Media Policy and ICT Security Policy must also be followed.

24. Legislation /Guidance

The Children Act 2004

Working Together to Safeguard Children 2018

Information Sharing Advice for practitioners – A guide to interagency working (HM Government 2018)

The Care Act 2014

The Counter-Terrorism & Security Act 2015

Mental Capacity Act 2005

25. Useful Contacts and Sources of information

To report your concerns or to talk to a duty social worker regarding child protection call HantsDirect (Children’s Services)

Use this link to complete the electronic Inter Agency Referral Form for non-urgent concerns:

<https://www.hants.gov.uk/socialcareandhealth/childrenandfamilies/contacts>

0300 555 1384 (office hours for urgent concerns) 0300 555 1373 (out of hours)

Professionals Line 01329 225379

<https://www.hants.gov.uk/socialcareandhealth/childrenandfamilies/safeguardingchildren/childprotection/reportingabuse>

A range of **toolkits** to support employees when sharing concerns with Children’s Services are available through Hampshire Safeguarding Children Partnership including: Adopting a Family Approach, Abusive Head Trauma, Every Sleep Counts, Female Genital Mutilation, Neglect and Understanding Unidentified Adults: <https://www.hampshirescp.org.uk/toolkits/>

HSCP also have a range of **procedures** which can be referred to for safeguarding children in specific circumstances, for example: disabled children, unborn babies, children who move across local authority borders, looked after children, fabricated induced illness and more:

<http://hipsprocedures.org.uk/page/contents>

To report your concerns or to talk to a duty social worker regarding vulnerable adults’ call HantsDirect (Adult Services)

0300 555 1386 (office hours) 0300 555 1373 (out of hours) Professionals Line 01329 225378

<https://www.hants.gov.uk/socialcareandhealth/adultsocialcare/safeguarding>

The 4LSAB Multi- Agency Policy, Process and Guidance should be used to support responses to concerns regarding abuse or neglect. https://www.hampshiresab.org.uk/professionals-area/hampshire_4lsab_multiagency_safeguarding_adults_policy_guidance/

Prevent referrals should be made using the online referral form which can be found with supporting information through: <https://www.hants.gov.uk/community/prevent>

Employee Assistance Programme

Should an employee feel they require support following their involvement with a safeguarding concern, information on the HBC Health Assured- 24/7 Employee Assistance Programme can be found on the council’s intranet (under ‘Employee Information’). Tel: 0800 030 5182.

Appendix A

SAFEGUARDING CONCERN FORM CHILDREN & YOUNG PEOPLE (pre-birth- 18th birthday)

This form should be completed as fully and factually as possible. Take care to highlight anything which is recorded and only opinion, or hearsay.

Be careful not to investigate or question the child, or young person unnecessarily.

About you	
Name	
Job role	
Service or department	
Work address	
Contact telephone number	
Email	
Consent to sharing information	
Has the child's parent(s) / carer(s) consent been gained for this referral?	Please delete as appropriate Consent given Consent refused Consent not requested
Give further information about the consent For example: 1. Verbal consent given by mother, and not father. 2. Consent requested of mother on [date] and refused 3. Consent not requested as this may pose a risk to the child /parent	
About the children	
First and last name	
AKA/ previous names (optional)	
Gender at birth	
Identified gender (if different) optional	Page 75

Date of birth/ estimated delivery date	
Ethnicity	
Does the child or family need any support with communication?	Please delete as appropriate Yes No
Child's address	
Does the child have any siblings? Or are you aware of any other children living at the child's home address?	Please delete as appropriate Yes No Unknown
Adults in the child's life	
Select all significant adults known to you	Please delete as appropriate Mother Father Other adult living at the same address as the child Other adult living elsewhere None known
Describe the situation you are worried about	
What has happened to concern you? Include as much detail as possible, including: what you have observed what you have been told (and by who) what you have not seen (e.g. missed appointments, non-attendance at school, not seen alone) what you have not been told (e.g. the child is unable to communicate due to age / another reason) when (e.g. times and dates) wider context that suggests risk.	
Describe what is currently in place to ensure the safety and wellbeing of the child(ren) you are concerned for. Include as much detail as possible, including: what you and other professionals have done/are	

doing what support from other family/the community is in place when/ how frequently/ for how long?	
If known, please provide details of other agencies involved with the family. Including: agency contact details names	
Describe the views of the family on what concerns you. For example, have the family requested support? Have they denied that an incident that concerns you took place? If not known, please enter 'Not known'.	
Date and time of concern	
To be completed by Safeguarding Lead	
Actions agreed	
If a referral was not made detail the reasons	
Future actions	
Name	
Signature	
Job Role	
Date	

Remember to always maintain confidentiality. Do not discuss this incident with anyone other than those who need to know.

NB This form should be kept by the relevant Safeguarding Lead and the information it contains should be passed to the relevant agency as soon as possible.

Appendix B

SAFEGUARDING CONCERN FORM Adult (aged 18 and over)

This form should be completed as fully and factually as possible. Take care to highlight anything which is recorded and only opinion, or hearsay
Be careful not to investigate or question the adult unnecessarily.

About you	
Name	
Job role	
Service or department	
Work address	
Contact telephone number	
Email	
Consent to sharing information	
Has the adult's consent been gained?	Please delete as appropriate Yes No
Is the individual over 65?	Please delete as appropriate Over 65 Under 65
About the adult	
First and last name	
Address	
Contact telephone number	
Email address	
Date of birth	
Their GP surgery name (if known)	
Their GP address (if known)	Page 78

Questions about concern What best describes the reason for your concern?	Select one or more of the following options: Physical abuse Domestic violence or abuse Sexual abuse Psychological or emotional abuse Financial or material abuse Modern slavery Discriminatory abuse Organisational or institutional abuse Neglect or act of omission (e.g. medication error) Self-neglect (including hoarding)
Please describe what happened including when, where, who and has it happened before?	
Is the concern ongoing	Please delete as appropriate Yes No
Has anything been put in place to stop the incident/ concern happening again?	
Do you know what the person you are concerned about wants to happen?	
Who else have you reported this to?	Please delete as appropriate CQC Police Trading Standards Health Services Fire & Rescue Family
Date and time of concern	
To be completed by Safeguarding Lead	
Actions agreed	
If a referral was not made detail the reasons	
Future actions	
Name	
Signature	
Job Role	
Date	

Remember to always maintain confidentiality. Do not discuss this incident with anyone other than those who need to know.

NB This form should be kept by the relevant Safeguarding Lead and the information it contains should be passed to the relevant agency as soon as possible.

Appendix C

Safeguarding Procedure

Step One –Identifying a concern

You are concerned a child (0-18), or adult is at risk, or has been abused because:

- You have seen something
- A child, or adult says they have been abused, or wishes to harm themselves e.g. suicide
- Somebody else has told you they are concerned
- An adult has disclosed they are abusing a child, or adult at risk
- There has been an allegation against a member of staff

Step Two –Your responsibility regarding sharing information

Talk to your line manager and agree whether information should be shared with Children's, or Adult Services. If your line manager is not available, or you are unsure, you can seek advice from the Safeguarding Lead, or deputy. If your line manager and Safeguarding Lead are both unavailable, refer your concern straight to Children's, or Adult Services by the end of your working day. Our internal Child, or Adult Concern Form should be completed by you and the information should be directly copied on to the Inter-Agency Form (IARF) regarding a child (if they are not in immediate danger). Otherwise, telephone: 0300 555 1384. Link to IARF: <https://www.hants.gov.uk/socialcareandhealth/childrenandfamilies/contacts>. Non urgent concerns regarding adults should be shared with Adult Services using their online referral form: <https://www.hants.gov.uk/socialcareandhealth/adultsocialcare/contact/professional-referral>. Or, telephone: 0300 555 1386. Call 101 if a child, or adult is in danger, or 999 if it is an emergency. 999 should also be called if a crime may have or has been committed.

Step Three – Recording

- The Safeguarding Concern Form should be completed for all concerns regardless of whether a decision was made to contact Children's, or Adult Services. This can be found on Skoop under: <http://intranet/basic-page/hr-policies-and-procedures-hbc>
- The form should be completed, then passed on to the Safeguarding Lead with a record of who was spoken to, along with any decisions, or actions agreed.
- Interim Safeguarding Lead (HBC)- Ryan Gulliver, 01730 234167
- Deputy Lead (EHDC & HBC) Tracey Wood, 02392 446626

Notes

In the cases of concern about a member of staff, you should talk to your line manager in the first instance and Safeguarding Lead. If your concern is about an elected member, then you should speak to the Monitoring Officer.

If the employee is in a position of trust, then the LADO (Local Authority Designated Officer), or the DASM (Designated Adult Safeguarding Manager) will co-ordinate the next steps for any staff complaints or allegations. If the adult is not in a position of trust, because they do not work directly with children, then the Disciplinary Procedure must be followed.

Anyone can "whistle blow" directly to the police or social services if they feel their concerns will not be managed appropriately by the council.

EVERYONE should observe confidentiality with colleagues, family and friends.

HAVANT BOROUGH COUNCIL
MODERN SLAVERY ACT 2015 SECTION 54 STATEMENT

Introduction

In compliance with Section 54 of the Modern Slavery Act 2015, Havant Borough Council (HBC) sets out in this statement its actions to understand all potential modern slavery risks related to its business and to put in place steps that are aimed at ensuring that there is no slavery or human trafficking within the organisation, our supply chains or in its linked business activities.

Organisational Structure

Havant Borough Council is responsible for services such as bin collections, collecting council tax, housing, planning applications, environmental health and more. This statement covers direct employees, of which there are approximately 251.

Everything that the council believes, thinks and does is about improving people's lives by providing excellent public services that represent great value for money and meets the needs of customers –the businesses and communities within the Borough.

The Council is committed to preventing slavery and human trafficking in its corporate activities and to ensuring that its supply chains are free from slavery and human trafficking. The Statement sets out practices already in place at the Council and actions moving forward.

Partnerships

The Council works in partnership with a wide number of agencies in order to combat modern slavery, including:

- Havant Community Safety Partnership
- Hampshire Constabulary
- Hampshire and Isle of Wight Modern Slavery Partnership

Our Policies

HBC reviews its policies and procedures on an ongoing basis to ensure they remain compliant and fit for purpose. The following policies and procedures are considered key to meeting the requirements of the Modern Slavery Act 2015.

- **Safeguarding** – The Council is committed to safeguarding the welfare of children and vulnerable adults. It has a comprehensive Safeguarding Children and Vulnerable Adults policy which all staff and councillors must adhere to. The Council carries out regular safeguarding training for all staff, has safeguarding leads and participates in multi-agency partnerships to protect and safeguard members of the public.
- **Recruitment** – Havant Borough Council's Recruitment Procedures are designed to recruit staff in a fair and consistent way that supports equality of opportunity. Our recruitment processes are open and robust with procedures for confirming identity, eligibility to work in the UK as well as requesting and following up references.
- The organisation uses only specified, reputable employment agencies to source labour and always verifies the practices of any new agency it is using before accepting workers from that agency.

- **Pay** – The Council operates a job evaluation scheme to ensure all employees are paid fair and equitably, considering The Equality Act 2010. The Council’s pay policy is based on fairness, affordability, consistency, flexibility, market rates and to encourage and reward achievement.
- **Equality**- The Council is committed to equality of opportunity in our approach to service delivery, employment and community leadership. We are also committed to identifying, understanding and eliminating all barriers that prevent access to services, information and employment by people with one or more protected characteristic.
- **Employee Code of Conduct** – The Council’s Employee Code of Conduct makes clear to employees the actions and behaviours expected of them when representing the Council and that actions of Council Officers are totally open to public scrutiny. The Employee Code of Conduct promotes a high standard of conduct based around honesty, impartiality, fairness, accountability and respect to maintain public confidence in services provided, with any breaches thoroughly investigated
- **Whistleblowing** – The Whistleblowing Policy forms part of the Council’s corporate governance arrangements to ensure that employees are confident in the reporting and investigation of malpractice including fraud, corruption and unethical conduct.
- **Members’ Code of Conduct** – The Members’ Code of Conduct emphasises Members’ responsibilities regarding dealing with all members of the community in a fair manner, putting public interest first.

Our Supply Chain

In all our procurement activity, Havant Borough Council aims to be consistent with the highest standards of integrity and ensure fairness in allocating contracts. Equality, social responsibility and safety are important criteria in the provision of goods and services procured.

Suppliers to Havant Borough Council must abide by all employment legislation, regulation and codified guidance. Where there are questions over the conduct of a supplier then these shall be investigated, and the appropriate action taken.

Specifically, key contractors must have safeguarding policies, procedures and training in place.

Training

All Council staff who have contact with members of the public are required to complete classroom based Basic Safeguarding Awareness training which encompasses modern slavery. This is undertaken within 6 months of new employees starting and is refreshed every three years.

Councillors received the same training as part of their induction and are refreshed every three years thereafter.

Actions moving forward

- The Council’s requirements regarding compliance with the Modern Slavery Act 2015 will be communicated clearly to new suppliers before commencing any supply contracts. This will also be communicated to existing suppliers.
- As part of the tendering process, potential suppliers will need to complete a self-declaration questionnaire which seeks confirmation and assurances of their compliance with the Modern Slavery Act 2015 and the nature of checks made on their own supply chain.

- Inclusion of standard and consistent wording relating to modern slavery and human trafficking in the terms and conditions of all Council contracts for new suppliers, or when existing contracts are up for renewal.
- Based on having accepted the Council's Terms and Conditions, suppliers of goods and services will be assumed to have their own policy relating to working practices or modern slavery, or for evidence to be available to ensure their standards are in accordance with the council's expectations. We would request that our suppliers ensure the same of their own supply chains.
- Provide a guidance update for staff, so that any supplier engaged by the Council is contracted to do so in line with the Council's Modern Slavery, Safeguarding, Equality, Whistleblowing policies and its Member and Officer codes of conduct.
- Raise awareness of modern slavery and trafficking through internal communications and training – to both Officers and Members

Key Performance indicators (KPIs)

Havant Borough Council will use the following performance indicators to measure how effective it has been to ensure that slavery and human trafficking is not taking place in any part of its business or supply chains:

1. All new suppliers confirming their adherence to the Modern Slavery Act (2015)
2. Employees made aware of Modern Slavery Act 2015 and updated training provided to 75% of workforce.
3. Completion of mandatory Safeguarding Training, by all employees within last 3 years.
4. Number of cases reported and resulting action

In the last year there have been no complaints/concerns raised in relation to slavery or human trafficking in our supply chains. HBC is committed to evolving its future training, subject to ongoing monitoring and requirements.

Review

We will continue to monitor and audit our policies and procedures to make amendments and update staff where necessary but, in any event, reviews will take place annually.

Approval for this statement

This statement is made under Section 54 (1) of the Modern Slavery Act 2015 for the financial year ending 31 March 2021.

This statement was approved by:

Signatory,

Date:.....

Cllr Alex Rennie – Cabinet Lead for Communications and Communities

This page is intentionally left blank