

SUBJECT: SAFEGUARDING POLICY

DIRECTORATE: HOUSING AND INVESTMENT

REPORT AUTHOR: PAULA BURTON – HOUSING SOLUTIONS MANAGER

1. Purpose of Report

- 1.1 To seek member approval to implement a new Safeguarding Policy.
- 1.2 The proposed policy is one that is being implemented in all district councils within Lincolnshire.

2. Executive Summary

- 2.1 Within Lincolnshire there are multi-agency safeguarding partnerships operating but until now there has not been a joint safeguarding policy that all district councils have agreed to work to.
- 2.2 The proposed policy will ensure that all districts will operate in the same way which will ensure consistency across the county and also enable the districts to support one another and assist each other should changes to working practices require amending.

3. Background

- 3.1 The City of Lincoln Council currently have a Safeguarding Policy that was developed for their own use. For the past two years there have been several discussions between all of the district councils in Lincolnshire to develop a policy and procedures that all districts could use.
- 3.2 East Lindsey District Council (EDLC), West Lindsey District Council and the City of Lincoln Council all had policies that were due to be reviewed during 2019 and ELDC rewrote their policy and procedures to ensure that all of the latest guidance and information was included and the policy could be used by all District Councils.
- 3.3 All districts have reviewed the draft policy and all proposed changes have been included. The draft copy of the policy and procedures has been to the Protecting Vulnerable People Group which is chaired by the Safeguarding Champion, the Director of Housing & Investment and the Safeguarding Lead Officer, Public Protection and Anti-Social Behaviour Manager and Legal Services Manager have all fully reviewed the policy on behalf of the City Council.

3.4 There have been changes within safeguarding and there is now more of a focus on the areas of Hate Crime and Mate Crime, Modern Slavery and Human Trafficking, County Lines and Cuckooing and Stalking. The proposed policy has been written to reflect this.

4. **Proposed Policy**

4.1 It is proposed that the Safeguarding Policy & Procedures will be implemented with immediate effect and will be due for review in the year 2022.

4.2 The policy includes the following chapters:

4.3 Chapter 1 – Safeguarding is everyone’s business – roles and responsibilities

This chapter contains information regarding which officers within the council have designated safeguarding roles and provide advice about safeguarding. It also outlines the expectations that staff and Members should maintain a professional curiosity when dealing with suspected safeguarding concerns and this chapter also advises how to escalate the concern if it is felt that partners or other agencies are not performing their role as expected.

4.4 Chapter 2 – Safeguarding Children and Young People

The Children Act 2004 (“the Act”) places a duty on key statutory agencies to safeguard and promote the welfare of children. The Act embodies five principles that are key to wellbeing in children and young people:

- Being Healthy
- Staying Safe
- Enjoying and achieving
- Making a positive contribution
- Achieving economic well being

4.5 The Working Together to Safeguard Children 2013 guidance states that 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 grow up in circumstances consistent with the provision of safe and effective care
- Taking action to enable all children to have the best outcomes

4.6 In practical terms this means that the Council has a responsibility to assist to provide a safe environment for children and young people and in which their welfare is of paramount importance.

4.7 Chapter 3 – Safeguarding Adults at Risk

4.8 This chapter applies to all situations within the Council’s operation which could potentially involve contact with adults at risk.

- 4.9 The Care Act (2014) states that “safeguarding adults is ‘protecting an adults’ right to live in safety, free from abuse and neglect. It is about people and organisations working together to prevent and stop both the risk and experience of abuse and neglect, whilst at the same time making sure that the adult’s wellbeing is being promoted”.
- 4.10 The Act requires that although first tier local authorities (Lincolnshire County Council in Lincolnshire) must make enquiries or direct others to do so, if abuse or neglect are suspected in relation to an adult and it is decided that help is needed to protect the adult, everyone involved in the enquiry must focus on improving the adult’s wellbeing and work together to that shared aim.
- 4.11 Chapter 4 – Domestic Abuse
- 4.12 Domestic abuse includes a range of abusive behaviours which are used by an abusive partner, ex-partner or family member to maintain power and control over another individual. Domestic abuse is not a one-off incident but is an ongoing pattern of behaviour. This abusive behaviour also includes Forced Marriage, so called Honour Based Violence and Female Genital Mutilation.
- 4.13 Domestic abuse is not just a disagreement. It is a pattern of behaviours, some causing physical injury, others not, some criminal, others not, but all emotionally damaging. Frequently domestic abuse includes threats of violence, suicide or threats to take children away. It may also include breaking objects, hurting pets, abusive language, sexual abuse, driving recklessly to endanger or scare the abused person, isolating family members from others, and controlling access to money, cars and other personal belongings.
- 4.14 Disclosing domestic abuse is not easy and staff, Members or volunteers must take steps to protect the victim, accept their perception of the danger they are in and listen appropriately. Information must not be shared without permission and should only be shared with others where it is appropriate (e.g. Multi-Agency Risk Assessment Conference). A risk assessment is completed with the victim and concerns about the welfare of any children take precedence over issues of confidentiality.
- 4.15 Chapter 5 – Preventing Violent Extremism
- 4.16 The Counter-Terrorism and Security Act (2015) contains a duty on specified authorities to have a due regard to the need to prevent people from being drawn into terrorism. This is known as the Prevent duty. The new Counter-Terrorism and Border Security Act (2019) ensured that the legislation is fit for the digital age and reflects contemporary patterns of radicalisation.
- 4.17 The Counter-Terrorism and Security Act (2015) enables local authorities to refer an individual at risk of being drawn into terrorism for discussion at a Channel Panel. This is a multi-agency approach designed to protect people at risk of radicalisation and prevent adults and children from being drawn into committing terrorist related activities.

4.18 Chapter 6 – Hate Crime and Mate Crime

4.19 Hate crime is an incident that is perceived by the victim or any other person to be motivated by hostility or prejudice based on a person's actual or perceived social group. It can include physical attacks, verbal abuse, offensive graffiti, harassment, damage to property and exclusion from a group or community.

4.20 There is no formal definition of mate crime but it is widely accepted to be "when a person is harmed or taken advantage of by someone they thought was their friend. It is more common with people with learning disabilities and mental health conditions but not exclusive". Examples of mate crime are financial abuse, physical abuse, emotional abuse and sexual abuse. It can be very subjective and the vulnerability of the victim must be considered.

4.21 These crimes should be reported to the Police and where the victim does not wish to report the incidents themselves a third party reporting centre can be used.

4.22 Chapter 7 – Modern Slavery and Human Trafficking

4.23 Modern slavery is a complex crime, often crossing international borders and involving multiple forms of exploitation. The common factors are that a victim is, or is intended to be, used or exploited for someone else's (usually financial) gain, without respect for their human rights. The four broad ways in which perpetrators seek to exploit victims are labour exploitation, domestic servitude, sexual exploitation and criminal exploitation.

4.24 For a person to have been a victim of human trafficking there must have been an action, means and a purpose of exploitation.

4.25 For someone to have been a victim of slavery, servitude and forced or compulsory labour there must have been a means and a service provided.

4.26 If a case is identified or suspected it should be reported using the National Referral Mechanism to ensure that the victims receive the appropriate support for their needs. The Modern Slavery Act (2015) also places a duty on local authorities to notify the Secretary of State of any person identified in England and Wales as a suspected victim of slavery or human trafficking.

4.27 Chapter 8 – County Lines and Cuckooing

4.28 County Lines and Cuckooing are forms of criminal exploitation involving children and vulnerable adults.

4.29 County Lines is a major, cross-cutting issue involving drugs, violence, gangs, safeguarding, criminal and sexual exploitation, modern slavery and missing persons. Those who become involved in county lines are usually caught up in other safeguarding issues such as drugs, criminality, trafficking, modern slavery, sexual exploitation and gangs.

4.30 Cuckooing is a practice where people take over a person's home and use the property to facilitate exploitation. The most common form of cuckooing is where drug dealers take over a person's home and use it store or distribute drugs.

Cuckooed addresses have been linked to many county lines, with victims of all ages encountered by law enforcement in such properties.

- 4.31 There is a duty to refer any suspected activity such as county lines and cuckooing to the Police.
- 4.32 Chapter 9 - Stalking
- 4.33 Stalking is defined by the Suzy Lamplugh Trust as “a pattern of fixated and obsessive behaviour which is repeated, persistent, and intrusive and causes fear of violence or engenders alarm and distress in the victim”.
- 4.34 Although people have a perception of what a stalker is as a stranger watching someone, it is likely that someone will be stalked by someone that they know or may have been in an intimate relationship with. Stalking can cause severe anxiety, paranoia and psychological distress to a victim regardless of whether there has been any violence. The stalker usually has an emotional investment and this is one of the reasons that stalking is considered to be dangerous for the victim. Stalking can involve no violence but can also lead to the victim being murdered.
- 4.35 All staff, Members or volunteers should encourage reporting of any stalking behaviour to the Police and a S-DASH can also be completed which is a risk assessment for stalking.
- 4.36 Declarations
- 4.37 Included in the appendices of the policy are declarations that are to be signed by all staff, volunteers, Members and contractors that declare that the person signing it is aware of the safeguarding responsibilities that are expected of them.

5. **Strategic Priorities**

- 5.1 Let's reduce inequality
- 5.2 Safeguarding children and vulnerable adults is at the heart of reducing inequality.
- 5.3 The proposal to implement a revised Safeguarding Policy will ensure that the residents of Lincolnshire receive a consistent practice with the way in which district councils process any safeguarding concerns they may have.

6. **Organisational Impacts**

- 6.1 Finance (including whole life costs where applicable) - There are no financial implications.
- 6.2 Legal Implications including Procurement Rules - There are no direct legal implications arising from this report at this time.
- 6.3 Equality, Diversity and Human Rights

6.4 The Public Sector Equality Duty means that the Council must consider all individuals when carrying out their day-to-day work, in shaping policy, delivering services and in relation to their own employees.

6.5 It requires that public bodies have due regard to the need to:

- Eliminate discrimination
- Advance equality of opportunity
- Foster good relations between different people when carrying out their activities

6.6 The Policy will ensure that anyone will be safeguarded against exposure to the different elements contained in the policy. Those who exhibit a protected characteristic would automatically be covered by this policy, and therefore there is no negative impact on anyone displaying a protected characteristic.

6.7 Human Resources - There are no direct HR implications arising from this report at this time.

7. **Risk Implications**

7.1 There are no risks identified with implementing this policy.

8. **Recommendation**

8.1 That the Safeguarding Policy be approved.

Is this a key decision? Yes

Do the exempt information categories apply? No

Does Rule 15 of the Scrutiny Procedure Rules (call-in and urgency) apply? No

How many appendices does the report contain? Two

List of Background Papers: None

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