

**WYRE FOREST DISTRICT COUNCIL****CABINET**  
**19<sup>TH</sup> February 2009****Safeguarding Children Policy 2009 - 2011**

<b>OPEN</b>	
<b>SUSTAINABLE COMMUNITY STRATEGY THEME</b>	Meeting the needs of children and young people
<b>CORPORATE PLAN AIM</b>	A Better Quality of Life A Well Run and Responsive Council
<b>CABINET MEMBER</b>	Councillor Marcus Hart
<b>HEAD OF SERVICE</b>	Head of Community and Partnership Services
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<b>APPENDICES</b>	Appendix A: Safeguarding Children Policy 2009-2011 <i>The appendix to this report has been circulated electronically and a public inspection copy is available on request. (See front cover for details).</i>

**1. PURPOSE OF REPORT**

- 1.1 To update the Council's Safeguarding Children Policy.

**2. RECOMMENDATION**

The Cabinet is asked to **RECOMMEND** to Council that:

- 2.1 **The Safeguarding Children Policy, including new amendments following the receipt of new guidance from the Independent Safeguarding Authority (ISA) be adopted by the Council for 2009 to 2011, with a formal review of the policy to be carried out in July 2011**

**3. BACKGROUND**

- 3.1 The Safeguarding Children Policy for Wyre Forest District Council fulfils a requirement for all agencies to have embedded corporate procedures to protect children from harm and to ensure compliance with Government legislation. (Working Together to Safeguard Children 2006 and Section 11, Statutory Guidance, Children Act 2004)
- 3.2 Section 11 Statutory Guidance of the Children Act 2004 places a duty on key persons and bodies, including District Councils **'to make arrangements to ensure that in discharging their functions they have regard to the need to safeguard and promote the welfare of children'**.
- 3.3 The Safeguarding Children Policy was adopted by the Council in July 2005. The Policy specified a review date of July 2008 within the procedures.

## **Agenda Item No. 9.1.**

In line with the review procedures contained in section 5 of the Council's Safeguarding Children Policy, Cabinet received an updated policy at its meeting on 21 August 2008.

- 3.4 Cabinet agreed to recommend the updated Safeguarding Policy to Council in November 2008, however, new guidance was received from the Independent Safeguarding Authority (ISA) in August 2008 that required the policy to be further updated.
- 3.5 The policy has now been further amended in section 3.1 in relation to Criminal Records Bureau (CRB) checks and in section 3.1.2 with regard to portability of CRB checks.
- 3.6 All amendments as agreed at Cabinet on 21 August 2008 remain unchanged and are summarised in section 4 together with the new amendments.

### **4. KEY ISSUES**

- 4.1 The Safeguarding Children Policy has been reviewed and updated to take account of recent guidance from the Independent Safeguarding Authority (ISA) in relation to Criminal Record Bureau checks. The new guidance states that the majority of WFDC posts will **not** be required by law to have a CRB check. However, the policy identifies that each post must be adequately risk assessed by the Head of Service to ensure that the person doing the work does not pose a risk to children or vulnerable adults as outlined in the definitions section 3. (Section 3.1)
- 4.2 The policy has been amended to incorporate new best practice which does not allow any portability of CRB checks. This means that new employees who will be required to undertake a CRB check in order to work for WFDC, will need to undertake a new check before commencing employment with the Council. (Section 3.1.2)
- 4.3 Heads of Service will ensure that CRB or "self declaration" forms are completed, as appropriate by employees within their respective Divisions in accordance with the definitions of "direct" and "indirect" contact within Section 3 of the policy.
- 4.4 Members of Wyre Forest District Council will be required to complete a self declaration form and will have the option to complete an enhanced CRB should they wish.
- 4.5 Heads of Service will also be required to complete a self declaration form and have the option to complete an enhanced CRB check should they wish.

### **5. FINANCIAL IMPLICATIONS**

- 5.1 There are no direct financial implications as a result of the review and subsequent amendment and updating of this policy.

### **6. LEGAL AND POLICY IMPLICATIONS**

- 6.1 The Safeguarding Children Policy 2009 – 2011 has been updated in accordance with the Council's responsibilities under Section 11, Statutory Guidance of the Children Act 2004.

- 6.2 If as a result of this policy there are implications for employees' conditions of service, (i.e. a different level of CRB check is deemed necessary) appropriate negotiation and consultation will be undertaken in accordance with the following guidance in the Personnel Handbook.
- Recruitment and Selection Process (Section 1 – Appointment – Access to Children)
  - Disciplinary Policy and Procedures (Section 8 - 13.4 - The Criminal Records Bureau – Disclosures)

## **7. RISK MANAGEMENT**

- 7.1 The Council has an implementation group which is in place to ensure that the practices and procedures outlined within the policy are embedded into the Council's working to minimise any risk associated with children and young people and safeguarding.
- 7.2 The Safeguarding Policy mitigates the risks to children and young people, employees and Members in relation to services, activities, procedures and practice in child protection and safeguarding within the Council.
- 7.3 In accordance with this Council's Risk Management Policy a structured and focussed approach to managing both Corporate and operational risk is required and has been applied in the review of the Safeguarding Children Policy.

## **8. CONCLUSION**

- 8.1 Safeguarding Children is a key policy for Wyre Forest District Council and the further amendments detailed in section 3, reflect the most recent guidance received from the Worcestershire Safeguarding Children's Board and the ISA (Independent safeguarding Authority). The policy highlights the commitment of all involved in ensuring that our procedures are continuously reviewed, improved and in line with government legislation and best practice.

## **9. CONSULTEES**

- CMT
- Cabinet Member for Leisure Services Councillor Marcus Hart

## **10. BACKGROUND PAPERS**

- Safeguarding Children Policy 2005
- Working Together to Safeguard Children (HM Government)
- Statutory Guidance on making arrangements to safeguard and promote the welfare of children under section 11 of the Children Act 2004 (HM Government)