

# Corporate Safeguarding Policy

## Conwy County Borough Council

Mae'r ddogfen hon ar gael yn Gymraeg hefyd

<b>Approved at</b>		<b>Corporate Safeguarding Board</b>		
<b>Date</b>		<b>12/09/2025</b>	<b>Minute No</b>	
<b>Version</b>	<b>Description of Reason for Change</b>	<b>Author</b>	<b>Authorisation</b>	<b>Date Issued</b>
01	Original Issue	DL	JW	18/6/14
02	Review	DL	JW	3/6/2015
03	Review	DL	JW	23/2/16
04	Review	DL	JW	27/4/16
05	Review	DL	JW	2/6/16
06	Review	DL	JW	03/04/17
07	Update	SG/RL	JW	06/11/18
08	Update (Wales Safeguarding Procedures)	SG	JW	22/06/20
09	Review	SG / RL	JW	11/11/22
10	Update	SG / RL	JW	05/09/23
11	Review	SG / RL	JW	12/09/25

## Purpose

The purpose of this document is to introduce the Council's Policy and Guidelines for Safeguarding Children and Adults.

The following are the objectives of the Safeguarding Policy and Guidelines:

- To highlight how Conwy County Borough Council undertakes its legal commitments in the field of safeguarding Children and Adults;
- To give assurance to members of the public, service users, councillors, employees and people working on behalf of the Council that there are clear arrangements in place to safeguard and protect Children and Adults;
- That Council staff and councillors have clear guidelines for when a Child or Adult may be at risk of harm, neglect or abuse.

## Scope

This policy relates to all Children (under 18 years of age) and Adults, who are at risk of abuse and neglect, regardless of gender, age, ethnicity, disability, sexual orientation, religion or cultural background.

By the nature of the organisation, it is inevitable that various degrees of contact with Children and Adults will occur and it is therefore our policy to have in place clear guidelines for safeguarding and promoting their welfare, as well as protecting our employees and other Adults in a position of responsibility from potential allegations of abuse.

## Responsibilities

Every Councillor, every member of staff, every volunteer and every contracted service provider has a responsibility to adhere to the procedures and guidance set out in this policy

## Abbreviations

CCBC	Conwy County Borough Council
CP	Child Protection
DBS	Disclosure and Barring Scheme
VAWDASV	Violence Against Women, Domestic Abuse and Sexual Violence
SSWBA	Social Services and Well-Being (Wales) Act 2014

## Equalities and Human Rights

The [Equality Act 2010](#) and [Human Rights Act 1998](#) must be applied to ensure there is no discrimination on the basis of: Race and Ethnicity; Disability; Age; Gender; Sexual Orientation; Religion and Belief; Welsh Language or Human Rights; Pregnancy and Maternity; Gender Re-assignment and Marriage and Civil Partnership.

## Related Documents:

(See [Appendix 5](#))

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## 1.0. Introduction

- 1.1. One of Conwy County Borough Council's Corporate priorities is to ensure that vulnerable people are protected and are able to live as independently as possible.
- 1.2. As a Council, we believe that every Child and Adult has a right to be safe from abuse, harm and neglect. The Council acknowledges its role and responsibilities to provide definitive guidance for staff, Councillors, partners and those people whom we serve in this key field.
- 1.3. Safeguarding is everybody's business in every Service within the Council. Whilst Social Services is the Lead Service for dealing with enquiries regarding allegations / concerns that Children and Adults who may be suffering significant harm, everyone has a responsibility to safeguard the welfare of Children and Adults, whatever the role of the individual.
- 1.4. Safeguarding is a wider concept than the protection of Children and Adults and deals with the promotion of:
  - Physical, emotional and mental health;
  - Protection from harm and neglect;
  - Education, training and leisure;
  - Contribution to society;
  - Social and economic well-being.
- 1.5. Although every organisation working with Children and Adults should be committed to safeguarding and promoting their welfare, a number of organisations have statutory roles or duties:
  - Under Section 28 of the Children Act 2004, CCBC has a duty to ensure that it undertakes its functions in a way that safeguards and promotes the welfare of Children;
  - Under Section 17 of the Crime and Disorder Act 1998, it is CCBC's duty to ensure that every reasonable step is taken to protect Adults and prevent crime and disorder when it undertakes its functions.
- 1.6. For the purposes of this policy, a Child is defined as anyone who has not yet reached their eighteenth birthday. The fact that a Child has reached 16 years of age, is living independently or is in further education, is a member of the armed forces, is in hospital or in custody in the secure estate; does not change his or her status or entitlement to services or protection under current legislation.
- 1.7. An Adult is defined as being over eighteen years of age.
- 1.8. Section 126 of the Social Services and Well-Being (Wales) Act 2014 (SSWBA) introduces the concept of an 'Adult at Risk':
  - (1) An 'Adult at Risk'...is an Adult who:
    - (a) Are experiencing or are at risk of abuse or neglect;
    - (b) Have the need for care and support (whether or not the authority is meeting any of those needs); and

- (c) *As a result of those needs is unable to protect him / herself against the abuse or neglect or the risk of it.*

1.9. Section 128 of the SSWBA outlines the new statutory 'duty to report Adults at risk':

- (1) *If a relevant partner of a local authority has reasonable cause to suspect that a person is an adult at risk and appears to be within the authority's area, it must inform the local authority of that fact.*
- (2) *If the person that the relevant partner has reasonable cause to suspect is an adult at risk appears to be within the area of a local authority other than one of which it is a relevant partner, it must inform that other local authority.*
- (3) *If a local authority has reasonable cause to suspect that a person within its area at any time is an adult at risk and is living or proposing to live in the area of another local authority (or a local authority in England), it must inform that other authority.*
- (4) *For the purpose of this section a relevant partner of a local authority is a person who is a relevant partner of the authority for the purposes of section 162.*

1.10. Section 130 of the SSWBA outlines the 'duty to report Children at risk':

- (1) *If a relevant partner of a local authority has reasonable cause to suspect that a child is a child at risk and appears to be within the authority's area, it must inform the local authority of that fact.*
- (2) *If the child that the relevant partner has reasonable cause to suspect is a child at risk appears to be within the area of a local authority other than one of which it is a relevant partner, it must inform that other local authority.*
- (3) *If a local authority has reasonable cause to suspect that a child within its area at any time is a child at risk and is living or proposing to live within the area of another local authority (or a local authority in England), it must inform that other authority.*
- (4) *In this section, "a child at risk" is a child who—*
  - (a) *is experiencing or is at risk of abuse, neglect or other kinds of harm, and*
  - (b) *has needs for care and support (whether or not the authority is meeting any of those needs).*
- (5) *For the purposes of this section a relevant partner of a local authority is—*
  - (a) *a person who is a relevant partner of the local authority for the purposes of section 162;*
  - (b) *a youth offending team for an area any part of which falls within the area of the authority.*
- (6) *For provision about a local authority's duty to investigate children at risk, see section 47 of the Children Act 1989.*

1.11. The [Violence against Women, Domestic Abuse and Sexual Violence \(Wales\) Act 2015](#) aims to improve arrangements for the prevention of gender based violence, abuse and sexual violence. The protection of victims and support for people affected is underpinned by the 'Ask

and Act' duty placed on public service staff to ask potential victims about the possibility that they may be experiencing VAWDASV and act so as to reduce suffering and harm.

- 1.12. Local Authorities have a duty to identify vulnerable individuals and families at risk of radicalisation from all forms of extremism. The Counter Terrorism and Security Act 2015 and its guidance, identifies that Children and Adults who may be susceptible to ideologies that place them, their families and the general public in danger should they be enticed to act upon extremist beliefs. Identifying individuals at risk and determining what action is necessary to support them is complemented by the 'Channel' multi-agency intervention process which deters continued involvement.
- 1.13. Modern day slavery encompasses slavery, sexual exploitation, 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. In March 2015, the Modern Day Slavery Bill consolidated and simplified existing offences into a single Act ensuring that perpetrators can receive suitably severe punishments. The Act also introduces new powers for the courts to place restrictions on individuals to protect people from the harm caused by modern day slavery.
- 1.14. The [Domestic Abuse Act 2021](#) introduces the following changes:
  - Creates a statutory definition of domestic abuse, emphasising that domestic abuse is not just physical violence, but can also be emotional, controlling or coercive, and economic abuse.
  - Establishes in law the office of Domestic Abuse Commissioner and set out the Commissioner's functions and powers.
  - Provide for a new Domestic Abuse Protection Notice and Domestic Abuse Protection Order.
  - Place a duty on local authorities in England to provide accommodation based support to victims of domestic abuse and their children in refuges and other safe accommodation
  - Prohibit perpetrators of abuse from cross-examining their victims in person in the civil and family courts in England and Wales.
  - Create a statutory presumption that victims of domestic abuse are eligible for special measures in the criminal, civil and family courts.
  - Clarify the circumstances in which a court may make a barring order under section 91(14) of the Children Act 1989 to prevent family proceedings that can further traumatise victims.
  - Extend the controlling or coercive behaviour offence to cover post-separation abuse.
  - Extend the offence of disclosing private sexual photographs and films with intent to cause distress (known as the "revenge porn" offence) to cover threats to disclose such material.
  - Create a new offence of non-fatal strangulation or suffocation of another person.
  - Clarify by restating in statute law the general proposition that a person may not consent to the infliction of serious harm and, by extension, is unable to consent to their own death.
  - Extend the extraterritorial jurisdiction of the criminal courts in England and Wales, Scotland and Northern Ireland to further violent and sexual offences.
  - Provide for a statutory domestic abuse perpetrator strategy.
  - Enable domestic abuse offenders to be subject to polygraph testing as a condition of their licence following their release from custody.
  - Place the guidance supporting the Domestic Violence Disclosure Scheme ("Clare's law") on a statutory footing.
  - Provide that all eligible homeless victims of domestic abuse automatically have 'priority need' for homelessness assistance.
  - Ensure that where a local authority, for reasons connected with domestic abuse, grants a new secure tenancy to a social tenant who had or has a secure lifetime or assured tenancy (other than an assured shorthold tenancy) this must be a secure lifetime tenancy.

- Prohibit GPs and other health professionals in general practice from charging a victim of domestic abuse for a letter to support an application for legal aid.
  - Provide for a statutory code of practice relating to the processing of domestic abuse data for immigration purposes.
- 1.15. Physical punishment is now illegal in Wales. In January 2020 the Senedd passed the Welsh Government's [Children \(Abolition of Defence of Reasonable Punishment\) \(Wales\) Act 2020](#). The overarching aim was to help protect children's rights and give all children in Wales the best start in life.
  - 1.16. The Act received Royal Assent on 20 March 2020 and came into force on 21 March 2022. The new law did not create a new offence, rather it removed a 160-year old legal defence which sent the message that it was acceptable for children to be physically punished by their parents or those with parental authority.
  - 1.17. Over the years legislation had limited the circumstances where the defence could be used and limited the settings where children could be physically punished. Physical punishment had already been outlawed in schools, children's homes, local authority foster care homes and childcare settings. It is now also illegal in the home and in unregulated settings.
  - 1.18. Physical punishment is defined as any battery of a child carried out as punishment. While smacking is what usually comes to mind, physical punishment can take many forms including hitting, slapping and shaking. What was seen as okay 30 years ago is less so now. Parents and guardians of young children are less likely to be supportive of physical punishment.
  - 1.19. [The United Nations Convention on the Rights of the Child](#) (UNCRC) is the basis for the Welsh Government's policy on children. Prohibiting the physical punishment of children is in accordance with article 19 of the UNCRC – the right to protection from all forms of violence. Wales has joined over 60 nations across the globe who have already outlawed physical punishment towards a child.
  - 1.20. The Children Wales Act applies to anyone in Wales caring for children (under the age of 18 years) in their care. This may be the:
    - Parent, legal guardian or person who has parental rights of the child.
    - Person who has responsibility of the child at the time of the incident (for example aunts, uncles, grandparents, friends and babysitters, adults who run clubs or other groups for children, including unregulated places of learning, worship, play, or leisure and au pairs).
  - 1.21. As with other laws it will also apply to visitors to Wales.
  - 1.22. Physical punishment has been illegal in schools, children's homes, local authority foster care homes and childcare settings for some time. Following this law change, all physical punishment of children in Wales will be illegal in all settings.
  - 1.23. There is a difference between physical punishment and the everyday physical interactions which take place between parents and children. The common law acknowledges that certain physical interventions carried out by parents, in the exercise of parental authority in relation to children are necessary and lawful.
  - 1.24. Adults use physical interventions to keep children safe from harm, such as holding back a child from running into a road or physically holding a child to keep them from injuring themselves or others, or to stop them putting their hand into a fire or onto a hot surface. These types of interventions are all about keeping a child safe. However if a parent saw their

child do something dangerous and reacted by physically punishing them this would not be acceptable under the law.

- 1.25. The circumstances, wider context and the parent or carer's intention should guide decision making on whether the action is likely to be considered physical punishment and therefore unlawful.
- 1.26. The legislation is supported by advice for parents and carers on alternative ways to encourage positive behaviour in children including through the [Parenting. Give it time campaign](#).
- 1.27. For further information please see the All Wales Practice Guide for [Safeguarding children in relation to the Children \(Abolition of Defence of Reasonable Punishment\) \(Wales\) Act 2020](#).
- 1.28 [Single Unified Safeguarding Review](#)
- 1.29 The Single Unified Safeguarding Review (SUSR) is a single review process incorporating all reviews in Wales. This ensures affected families can expect a swift and rigorous review process. The SUSR eliminates the need for families to take part in several reviews. This will reduce the trauma and allow learning to be identified and acted upon sooner.
- 1.30 The criteria for conducting an SUSR needs to meet one of the following:
  - Adult Practice Review
  - Child Practice Review
  - Domestic Homicide Review
  - Mental Health Homicide Review
  - Offensive Weapons Homicide Review
- 1.31 The SUSR brings agencies and individuals connected to the incident into a safe learning environment to:
  - build a greater understanding of what happened during an incident and why
  - improve the understanding of the impact of the actions of organisations
  - look into whether different actions may have resulted in different outcomes for the child or adult at risk
  - identify any learning opportunities for the future
  - provide a clear action plan on how to improve service provision.

## 2.0. Objectives

- 2.1. As a Council we believe that it is always unacceptable for a Child or an Adult to be abused or harmed in any way. This is reflected in the following principles which form the basis of the Policy and Guidelines:
  - Every Child and Adult (whatever their background, culture, age, disability, gender, ethnicity, religious belief) has a right to participate in a safe society without any violence, fear, abuse, bullying and discrimination; every Child and Adult has the right to be protected from harm, exploitation and abuse;
  - We as a Council will put the welfare and well-being of Children and Adults centrally in our policies and procedures;

- As a Council we will work closely in partnership with Children, their Parents, Carers and Adults and other agencies to safeguard and promote the welfare of Children and Adults;
- Respect the rights, wishes, feelings and privacy of children and adults by listening to them and minimising any risks that may affect them;
- Invest in preventative work and early intervention and try to avoid situations where abuse or allegations of abuse or harm may occur.

### **3.0. Outcomes**

- 3.1. This Policy reflects the Council's commitment to safeguard Children and Adults and to protect them from being abused when they receive services arranged and provided by or on behalf of the Council.
- 3.2. We will measure the impact regularly in order to achieve the following high level outcomes:
  - A clear understanding amongst staff, councillors and those working on behalf of the Council of the policies and guidelines for safeguarding Children and Adults;
  - Robust corporate and departmental procedures in place to ensure compliance with the Policies and Guidelines introduced here;
  - Clear and accessible communication arrangements in place across the organisation, including information about the key officers in each Service who are responsible for Children and Adult safeguarding issues;
  - Consistency between these guidelines and the procedures which are operational on an all-Wales basis and associated protocols for safeguarding Children and Adults;
- 3.3. The [National Safeguarding Training Standards](#) will set out which members of staff should receive safeguarding training and to what level. A priority will be the training of Designated Safeguarding Managers in each service. That staff and councillors receive information and training regarding the guidelines and that this is a continuous and permanent arrangement within the organisation.

### **4.0. Roles and Responsibilities**

- 4.1. Every Councillor, every member of staff, every volunteer and every contracted service provider, has a responsibility to adhere to the procedures and guidance set out in this policy.
- 4.2. By following the correct procedures and guidance, it is possible to ensure that the appropriate steps are implemented to deal with any allegation or concern, services are planned and delivered in a way which safeguards Children and Adults and staff are able to conduct themselves safely.
- 4.3. Every member of staff, councillor, volunteer and service provider has a responsibility in the field of safeguarding. It is very important to highlight this.

- 4.4. This means that every Service within the Council has a key role to play and has to take full ownership of the safeguarding field. It follows that there is a need to ensure that there are clear arrangements and procedures in place within each Service in the Council to ensure that investigations into allegations / concerns that Children and Adults may be suffering substantial harm receive due consideration. In addition, every service needs to understand where safeguarding issues are most likely to arise in their particular service and ensure they have appropriate policies, procedures and guidance in place to manage these well.
- 4.5. This document draws together the corporate policies and guidelines in the field of safeguarding Children and Adults and it will operate as a framework for the procedures of every Service in the Council.
- 4.6. Table of Roles and Responsibilities:

Role	Responsibility
<b>Chief Executive</b>	<p>The Chief Executive has the general responsibility for ensuring that there is an effective safeguarding policy and procedures for Children and Adults in place and that they are implemented.</p> <p>They are also responsible for the development of effective corporate governance and satisfying all the statutory requirements.</p>
<b>Statutory Director for Social Services</b>	<p>The Statutory Director for Social Services has the final and indivisible responsibility for safeguarding issues. They are responsible for ensuring that the Council has appropriate safeguarding measures to protect Children and Young People, Adults and Vulnerable Older People and they are responsible for reporting at a corporate level to Councillors on their effectiveness.</p> <p>The Director is responsible for the following:</p> <ul style="list-style-type: none"> <li>○ Supervising the process of implementing, monitoring and improving the safeguarding procedures for Children and Adults;</li> <li>○ Ensuring that there are robust reporting arrangements and processes for safeguarding Children and Adults and to report at corporate level and to Members;</li> <li>○ Ensuring the effectiveness of the Regional Safeguarding Board;</li> <li>○ Ensuring that lessons are learned as a result of Single Unified Safeguarding Reviews and that they are applied as necessary by every agency, acknowledging that the effectiveness of arrangements are dependent on the quality of the contribution of every agency;</li> </ul>

Role	Responsibility
	<ul style="list-style-type: none"> <li>○ Raising the profile, supporting the policy and ensuring that the Council complies fully with the Policy and Guidelines for Safeguarding Children and Adults;</li> <li>○ Ensuring that every member of staff of Social Services understands and implements high standards in terms of identifying risks and safeguarding practices;</li> <li>○ Promoting more awareness amongst the public of issues relating to safeguarding Children and Adults and ensuring social work practices evolve in light of appropriate research;</li> <li>○ Raising standards in social work practice by means of professional supervision, training and other opportunities to learn and reflect so that staff working in the safeguarding field are supported appropriately;</li> <li>○ Submitting observations, in her statutory role, on Cabinet reports dealing with the safeguarding field.</li> </ul> <p>Whilst every member of staff has a responsibility to safeguard and promote the welfare of Children and Adults, the Statutory Director is the Senior Officer in the Council with the final and indivisible accountability for this.</p>
<b>Designated Safeguarding Managers</b>	<p>Every Service within the Council will be required to nominate a “Designated Safeguarding Manager” for dealing with safeguarding Children and Adults.</p> <p>The Designated Safeguarding Managers are responsible for:</p> <ul style="list-style-type: none"> <li>○ Acting as a key source of advice and support for other staff in the Service on all safeguarding issues;</li> <li>○ Being familiar with Conwy County Borough Council’s Corporate Policy and Guidelines for Safeguarding Children and Adults along with the <a href="#">Wales Safeguarding Procedures (April 2020)</a>.</li> <li>○ Ensuring that there are effective internal procedures to deal with concerns within the Service by working closely with Social Services to achieve this;</li> <li>○ Ensuring that the process of complying with this Policy and Guidelines is monitored by reporting regularly to the Corporate Safeguarding Board;</li> <li>○ Attending the relevant training for “Designated Safeguarding Managers”.</li> </ul>

Role	Responsibility
	<p><b>Any member of staff with concerns regarding the behaviour of a colleague towards Children or an Adult should contact the Designated Safeguarding Manager within the Service immediately.</b></p>
<p><b>Heads of Service</b></p>	<p>All Heads of Service – through their Management Teams – will be jointly responsible for ensuring that all the statutory requirements, in terms of safeguarding and promoting the welfare of Children and Adults, receive due consideration. This includes the quality, content and frequency of training provided and maintaining sufficient staff training records.</p> <p>They must ensure that their staff are appropriately checked through the Disclosure and Barring Service procedures and Safe Recruitment guidelines that their staff conform to the Policy and Guidelines for Safeguarding Children and Adults.</p> <p>All Heads of Service must establish arrangements to ensure that they comply with the requirements of this policy. They must ensure that records are kept of every check that is made by the Disclosure and Barring Service.</p> <p>They are expected to co-ordinate the process of preparing a Policy and Guidelines for Safeguarding Children and Adults in their Service. It is expected that this Policy is prepared in order to highlight the Service's arrangements for responding to issues that could arise in the safeguarding field.</p> <p>It will be a requirement for every Service in the Council to report on their Safeguarding Policies and Guidelines to the Corporate Board for Safeguarding Children and Adults.</p>
<p><b>Line Managers</b></p>	<p>Every Line Manager is responsible for ensuring that the staff for which they are responsible receive the training which they need, proportionate to their responsibilities. Each manager should ensure that Safeguarding is a standing agenda at team meetings.</p>
<p><b>All Members of Staff and Volunteers (including School Governors)</b></p>	<p>Every member of staff and volunteers are responsible for undertaking their duties in a manner which safeguards and promotes the welfare of Children and Adults. They must also act in a way which protects them against false allegations of abuse as far as possible and in accordance with this policy. They must bring issues of concern regarding the safety and welfare of Children and Adults to the attention of the Designated Manager in their Service.</p> <p>All staff, volunteers (including School Governors) are responsible for ensuring they undertake mandatory safeguarding training.</p>

Role	Responsibility
<p><b>Contractors, Subcontractors or Other Organisations funded by or on behalf of Conwy Council</b></p>	<p>Contractors, sub-contractors or other organisations funded by or on behalf of the Council are responsible for arranging checks through the Disclosure and Barring Service, as well as ensuring that their staff comply with regulatory and contractual arrangements relating to safeguarding Children and Adults.</p> <p>Some organisations are also required to undertake an annual self-assessment of safeguarding arrangements, and to report outcomes, as part of contract monitoring arrangements. It is expected that this will apply to more organisations over time. Contractors are also responsible for informing relevant managers of the Council about any concerns they may have and to refer any protection issues.</p>
<p><b>Elected Members</b></p>	<p>Elected Members will receive the following information in the field of safeguarding:</p> <ul style="list-style-type: none"> <li>○ The Portfolio Holder for Children, Families and Safeguarding will be the standing member of the Corporate Safeguarding Board. This Board will receive information regarding the working practices and procedures of every Service in the Council, providing assurance that the Services are meeting their duties in accordance with the Corporate Safeguarding Policy and Guidelines. In addition, the Board will receive information regarding the performance management arrangements of every Service, in order to show that they are discharging their duties in a manner which safeguards Children and Adults.</li> <li>○ Members of the Board will have an important role in challenging information regarding the results of the performance management process across services from the perspective of safeguarding Children and Adults. It is also the duty of Members of this Board to ensure that effective corporate policies and procedures are developed across the organisation.</li> </ul> <p>The Portfolio Holder for Children, Families and Safeguarding will report on the work of the Corporate Safeguarding Board to all Cabinet Members on an annual basis. Every Cabinet Member will receive assurance from the Cabinet Member for Children, Families and Safeguarding, that a clear work programme is in place and that the Council's policies and procedures are robust in the safeguarding field. In addition, it must be reported that appropriate arrangements are in place to monitor the performance of every Service regarding reviewing and evaluating policies. Regular monitoring and review is an integral part in ensuring that Safeguarding is 'Everybody's Business'.</p> <ul style="list-style-type: none"> <li>○ In the Annual Report, there will also be an opportunity for both Lead Members serving on the Corporate Safeguarding Board to highlight any obstacles or concerns they may have in terms of the response or performance of any Service in the Council.</li> </ul>

Role	Responsibility
	<ul style="list-style-type: none"> <li>○ Any lessons from Single Unified Safeguarding Reviews will also be identified to Scrutiny as part of the Annual Report.</li> </ul> <p>Members of the Social Care and Health Scrutiny Committee will receive information regarding the work of the Corporate Safeguarding Board through the Annual Report. This will provide an opportunity for Members to scrutinise and challenge Members of the Corporate Board. Members of the Scrutiny Committee will receive information regarding the work programme of the Corporate Board, the progress against this work programme and the main messages stemming from the performance management arrangements. The observations of the Scrutiny Committee will steer and influence the priorities of the Corporate Safeguarding Board's work programme.</p> <p>It is a requirement that every Councillor attends training in the field of safeguarding Children and Adults. A register will be kept of those attending and this will be reported as part of the performance monitoring arrangements co-ordinated by the Corporate Safeguarding Board. The training will raise awareness amongst Conwy Councillors of this Policy and Guidelines and increase their understanding of the safeguarding procedures which exist within the Council.</p>

## 5.0. Reporting Processes / Wales Safeguarding Procedures

- 5.1. Any member of staff with concerns regarding the safety of an individual, or the behaviour of a colleague towards Children or an Adult should contact the Designated Safeguarding Manager within the Service **immediately**.
- 5.2. If the Designated Safeguarding Manager is unavailable, then the matter must be referred to the Single Point of Access Team – for concerns in relation to an Adult or Children's Services – for concerns in relation to a Child (details as noted in section 5.7 below). It is crucial **not** to delay.
- 5.3. The Police must be contacted immediately if the Child or Adult is in danger, or any criminality is suspected.
- 5.4. The Social Services Emergency Duty Team should be contacted if the issue arises after 5.00pm Monday to Friday and on Weekends and Bank Holidays.
- 5.5. Adult at Risk – Pathway and types of Abuse:

### Adults' Pathway

The Act, statutory guidance and regulations explain how you must work with adults:

- New definition of 'adult at risk'
- New duty for relevant partners to report adults at risk
- New duty for local authorities to make enquiries
- Section 47 of the National Assistance Act 1948 abolished

## **Abuse and Neglect**

- Physical
- Sexual
- Psychological
- Emotional
- Financial
- Neglect

### Taking place in any setting

- Violent offences
- Sexual offences
- Property offences
- Hate crimes
- Exploitation

### Additional areas

- Self-neglect
- Modern Slavery
- Institutional abuse
- Domestic violence
- Honour-based crime

## 5.6. Child at Risk – Pathway and types of Abuse:

### **Children's Pathway**

The Act, statutory guidance and regulations explain how you must work with children:

- New definition of a 'child at risk'
- New duty for relevant partners to report children at risk
- Local authorities to make enquiries – link into Children's Act 1989 s47

### **Abuse, Neglect and Harm**

- Abuse means physical, sexual, psychological, emotional or financial abuse
- Neglect means a failure to meet a person's basic physical, emotional, social or psychological needs, which is likely to result in an impairment of the person's well-being
- Harm means abuse or the impairment of (a) physical or mental health, or (b) physical, intellectual, emotional, social or behavioural development
- 'Harm' means ill-treatment or the impairment of health or development 'Development' means physical, intellectual, emotional, social or behavioural development
- 'Health' means physical or mental health
- 'Ill-treatment' includes sexual abuse and forms of ill-treatment which are not physical (Children Act 1989 s.38)
- 'Impairment' includes impairment suffered by hearing or seeing the ill-treatment of another (Adoption and Children Act 2022)

#### 5.7. Reporting Contact Details:

- [Report an adult at risk](#)
- [Report a child at risk](#)

#### 5.8. Current Designated Safeguarding Managers:

Department	Contact
Education	Scott Fordwhalley Rachel Simmonds Libby Duo
Human Resources	Diana Burns
Environment, Roads and Facilities	Jane Roberts
Social Services (Adults)	Stephen Jenkins
Social Services (Children)	Helen Fenner
Strategic Housing Service	Katie Clubb
Legal Services	Ceri Williams
Audit and Procurement	Victoria Melville
Leisure Services	Caroline Jones
Revenues and Benefits Services	Helen Hobson
Libraries Service	Sharon Morgan
Major Events	Judith Sharp
Theatres & Conference Centre	Helen Davies
Corporate Health and Safety	Richard Evans
Information Technology and Digital Transformation	Debbie Anchors
Estates and Asset Management	Richard Jones
Corporate Workforce and Development Team	Cheryl Roberts

#### 5.9 Wales Safeguarding Procedures

- Welsh Government launched the new Wales Safeguarding Procedures on 11th November 2019.
- They replace the All Wales Child Protection Procedures (2008) and the Wales Interim Policy and Procedures for the Protection of Vulnerable Adults from Abuse (2013).
- The procedures are not designed to be printed they are digital only. They will be updated every 6 months.
- The Wales Safeguarding Procedures will guide safeguarding practice for all those employed in the statutory, third (voluntary) and private sectors in health, social care, education, police, justice and other services.
- They apply to all practitioners and managers working in Wales, whether employed by a devolved or non-devolved agency, and whether in paid or unpaid work.
- The Wales Safeguarding Procedures App is available for download now via the Apple App Store and Google Play Store.
- They can also be viewed in English at <https://www.safeguarding.wales/en/> and in Welsh at <https://diogelu.cymru/cy/>.

## 6.0. Corporate Governance Arrangements

- 6.1. On a Corporate level, the responsibility for undertaking an overview of the Children and Adults' safeguarding arrangements has been delegated to the Corporate Board for Safeguarding Children and Adults, by Cabinet.
- 6.2. The main responsibilities of the Board are to ensure that robust arrangements for safeguarding Children and Adults are in place within Conwy County Borough Council.
- 6.3. The Board will act on a Strategic level in order to:
  - Assure relevant Lead Members that the Council's procedures are robust where matters of safeguarding children and adults are concerned;
  - Bring together interdepartmental work in the safeguarding field and ensure effective corporate communication;
  - Support the functions and duties of the Statutory Director within the Council;
  - Resolve any possible barriers that could prevent having effective and successful procedures in place;
  - Identify any gaps in corporate policies and guidelines and ensure they are addressed, working appropriately with the Regional Safeguarding Board;
  - Ensure that appropriate training is available for officers and members;
  - Receive and consider information about trends in relation to allegations of professional abuse, and adopt action plans to respond should the need arise;
  - Receive and challenge information about corporate safeguarding performance and the progress against work programmes commissioned;
  - Consider and understand the implications of Single Unified Safeguarding Review and ensure that the Council responds effectively to recommendations within such reviews;
  - Produce an Annual Report for the Health and Social Care and Health Scrutiny Committee.
- 6.4. The Board has a key role to play in ensuring that every Service undertakes its duties in accordance with the Council's Safeguarding Policy and Guidelines. The Board also ensures that every Service has a performance management system in place to show that they are undertaking their functions in a manner which safeguards Children and Adults.
- 6.5. The Board meets on a quarterly basis. The Membership of the Board includes relevant Heads of Service. The Board is a key method of ensuring that the Designated Safeguarding Managers collaborate and share information across the Council. They also deal with identifying any gaps in the Council's procedures in the safeguarding field along with submitting recommendations to the Corporate Board regarding updating or amending the Council's Policy in this field. A copy of the Board terms of reference is in [Appendix 3](#). The Board is serviced by Social Care.
- 6.6. Social Care and Health Scrutiny Committee receives an annual report from the Board.
- 6.7. The Board complements the role of the Regional Adult / Children Safeguarding Board. These focus on ensuring that robust multi-agency arrangements are in place to safeguard children and adults at risk and that key partners have appropriate safeguarding systems in place. The role of the Conwy Corporate Safeguarding Board is to ensure effective oversight of safeguarding across the wide range of services which the Council provides and commissions. On their own, the current multi- agency

arrangements for children and adults cannot provide sufficient depth of assurance to meet the needs of complex organisations, especially given increased public expectations and expectations from regulators.

## 7.0. Social Care and Health Scrutiny Committee

- 7.1. The Council’s Social Care and Health Scrutiny Committee will have the role of scrutinising and challenging the work and performance of the Corporate Safeguarding Board on an annual basis. It is considered that this is crucial so that Committee Members gain experience and understanding in the field and become completely aware of the breadth and depth of the Board’s work and the corporate arrangements.
- 7.2. The Council's [Corporate Plan 2022-2027](#) : The Council’s Corporate Plan sets out the strategic direction for the Council’s work over the next five years and identifies clear priorities and actions to respond to these priorities. An Annual Delivery Plan is also produced to enable monitoring on regular basis.
- 7.3. One of the priorities within the Plan is that “People are protected and able to live as independently as possible.” Regular progress reports are submitted to Scrutiny Committees and a set of high-level indicators has also been agreed. These arrangements will complement reporting to the Corporate Safeguarding Board.

## 8.0. Reporting, Monitoring and Reviewing

- 8.1. The Corporate Safeguarding Boards’ Annual Report will draw attention to the Council’s performance in complying with the Corporate Policy and Guidelines. The Annual Report will be submitted to the Social Care and Health Scrutiny Committee. In addition, on behalf of the Council as a whole, the Safeguarding Board will report to the Regional Safeguarding Board as part of requirements under section 28 of the Children Act 2004 and sections 134 – 135 of the Social Services and Well-Being (Wales) Act 2014.
- 8.2. Performance will also be monitored via the Corporate Plan, which includes specific measures and actions in relation to Safeguarding. It is anticipated that measures will evolve over time to better capture the breadth of safeguarding activity; currently the Performance Indicators are:

How we’ll measure success:	
M4.1	% of new staff who have completed mandatory safeguarding training.

- 8.3. The Corporate Safeguarding Board will receive a report noting the performance of indicators in the safeguarding field and work programme progress. North Wales Regional Safeguarding Board already receives core data on a regular basis. Any concerns regarding underperformance/slippage will require a clear action plan to respond to the concerns. Safeguarding will also be a potential “line of enquiry” in service challenges.
- 8.4. The Corporate Safeguarding Policy will be reviewed annually or if any amendments occur in legislation or in consideration of changes in working practices which may stem from incidents or allegations.

- 8.5. Further details are included in [Appendix 4](#) regarding the method the Council will use to measure impact and monitor effectiveness.



## APPENDIX 1 – Reporting Procedures

Suspicion about abuse may take the form of ‘concerns’ rather than ‘known facts’. Safeguarding concerns can arise in many different contexts, including when they are already known to the social services. Concerns can and should be shared with social services through a safeguarding report, using the standard referral form available on the Conwy website (available in [Section 5.0](#) of the Policy, above).

While concerns will not necessarily trigger an investigation, they help to build up a picture, along with concerns from other sources, which may indicate that they may be suffering harm. In cases of alleged or suspected abuse by a professional or individual employee, the action should also be guided by the procedures contained in the [Wales Safeguarding Procedures \(April 2020\)](#) and Conwy’s own procedures on professional abuse and whistle blowing.

### **Making a Report**

A Safeguarding report should be made to social services as soon as a problem, suspicion or concern about a child or adult becomes apparent, and certainly within 24 hours. Outside office hours, reports should be made to the social services emergency duty service or the police. All telephone reports or referrals made in person should be confirmed in writing within two working days, preferably using the standard referral form. The Single Point of Access Officer / duty social worker taking the report / referral should be given as much of the following information as possible by the referrer:

The nature of the concerns;

- How and why those concerns have arisen;
- The full name, address and date of birth (or age) of the child / adult of concern;
- The names, addresses and dates of birth/ages of family members, along with any other names which they use or are known by;
- The names and relationship of all those with parental responsibility / guardian or carer roles, where known, should be recorded;
- The name, address and date of birth of parent’s partner;
- The name, address and date of birth of any other adults living in the household;
- The names of other professionals involved with the family, including for example the name of the child’s school and GP; Any information you have on the child’s developmental needs / adults care needs and his/her parents or caregivers ability to respond to these needs within the context of the wider family and environment; Any information affecting the safety of staff: In the case of vulnerable adults the capacity and

risks of the individual concerned need to be considered and a safe and positive environment;

- Place the child or adult's welfare and safety above other considerations;

## **YOU SHOULD NOT**

Touch or allow inappropriate touching in any way, use force or inappropriate language or make suggestive sexual comments;

Ignore allegations made by a child or an adult; all allegations or disclosures of abuse by a child or adult should be reported immediately to Social Services or the Police.

Invite or allow children or adults at risk to come to your home where they will be alone with you;

Enter areas in the Council's buildings that have been specifically allocated for the opposite sex;

Use the internet, electronic device or phone to access child abuse image sites;

Spread confidential information concerning individual cases to anyone unless through recognised reporting procedures.

Individual employees, professionals and independent contractors, should be aware that they cannot remain anonymous when making a safeguarding report. However, members of the public may remain anonymous, if they wish to.

## **TASKS**

The individual employee or professional making the safeguarding report may be asked to do some or all of the following tasks, and should be prepared and willing to do them:

- Contribute to a Strategy discussion or Strategy Meeting
- Assist in the Child Protection Section 47 enquiries / Section 126 enquiries
- Provide a written report to Case Conference
- Attend the Child Protection/Adult Case Conference
- Contribute to the Assessment process

It is the responsibility of individual employees and professionals to ensure that their concerns are taken seriously and followed through. Each individual employee and professional is accountable for his or her own role in the protection process, and if an individual employee or professional remains concerned, they should re-refer and/or bring the matter to the immediate attention of the children or adults senior manager or in their absence the person deputising for their function with responsibility for safeguarding. In all such situations, the individual employee or Professional's own line manager and/or the designated safeguarding manager be informed.



## APPENDIX 2 – Code of Conduct and Safe Working Practices

### CODE OF CONDUCT AND SAFE WORKING PRACTICES

1. This code of conduct is a statement and is a description of the professional standards of practice that are required from all Council staff when undertaking their day-to-day duties.
2. The code of conduct reflects current practice and it is expected that employees can identify the following standards as those which they aim to emulate daily.
3. It is anticipated that this code of conduct provides a better understanding for members of the public using Council services of what is expected of the Council's staff and the manner in which the employer supports its staff to undertake work effectively and in a manner respectful of the needs of individuals.
4. Every member of staff should give a good example in terms of behaviour to ensure that children and adults are protected and safeguarded. The following guidelines provide details of examples of good practice which must be used, along with specific codes of conduct (e.g. CCBC codes of conduct), which could be relevant to roles, activities or specific events.

You should always be open for the public to scrutinise you when working with children and adults.

You should follow the required process for reporting incidents, e.g. an incident of health and safety importance;

Children and adults have a right to privacy, equality, respect and dignity and a safe and positive environment;

If a child or adult arrives at an activity or service exhibiting signs or symptoms which cause you concern, you must act appropriately and follow the procedures outlined in the policy; Be aware of the need to ensure safe practices when meeting children and adults.

### YOU SHOULD

Work in accordance with this Corporate Safeguarding policy. If in doubt, contact the Designated Safeguarding Manager in your Department;

Work in an open environment (e.g. you should avoid private situations or those which cannot be observed and encourage an open environment, i.e. no secrets);

Treat every child and adult fairly with respect and dignity;  
Put the welfare of each child and adult first;

Ensure a safe and appropriate distance with participants (e.g. it is not appropriate to have a close relationship with a child or an adult);

Create an equal relationship based on trust which empowers children and adults to share in the decision making process;

Get the most current information about training and safeguarding issues;

Be an excellent example – this includes not smoking, drinking alcohol or swearing in the company of children and adults;

Make sure that photographic or filming equipment is used appropriately and a parent or carer of the participants has given their permission;

Keep a record in writing of any injury which is sustained, along with any treatment administered in accordance with Council policy;

## **YOU SHOULD NOT**

Touch or allow inappropriate touching in any way, use force or inappropriate language or make suggestive sexual comments;

Make a child cry as a means of controlling him / her, or use any behaviour control techniques not authorised by the Council's policy and procedures;

Ignore allegations made by a child or adult. All allegations or disclosures of abuse by a child or adult should be reported immediately to Social Services or the Police.

Undertake tasks of a personal nature for children or adults which they could do for themselves;

Invite or permit children or adults at risk to come to your home where they will be alone with you;

Enter areas that have been specifically set-aside for the other sex;

Use the internet, an electronic device or a phone to access child abuse image sites;

5. An employee who breaches any condition of the above code of conduct will face an investigation and could face disciplinary action, which could lead to dismissal and the possibility of a criminal investigation if there is evidence of illegal activity.

6. Volunteer services that breach the code of conduct will be suspended immediately. If there is evidence of illegal activity, the name of the volunteer will be drawn to the attention of the relevant authorities and he /she could face a criminal investigation.



## **APPENDIX 3 – Terms of Reference Corporate Safeguarding Board**

### **TERMS OF REFERENCE CORPORATE SAFEGUARDING BOARD**

#### **1. INTRODUCTION**

1.1. Section 28 of the Children Act 2004 places a duty on local authorities to make arrangements to ensure that they fulfil their functions in a way which considers the need to safeguard and promote the welfare of children.

1.2. The following reflects the 'Statutory Guidelines on the Functions and Accountability of Directors of Social Services' [published by the Welsh Assembly Government – June 2009]. As well as Part 8 – Social Services Functions under the Social Services and Well-Being (Wales) Act 2014. Although every member of staff has a responsibility to safeguard and promote the welfare of children, it is the Statutory Director of Social Services who remains the senior officer in the council with full and final accountability for safeguarding children.

1.3. The following does not change the Constitution of CCBC. The intention is to reinforce existing reporting arrangements.

#### **2. TERMS OF REFERENCE OF THE CCBC CORPORATE SAFEGUARDING BOARD**

2.1. The aim of the Board is to ensure that robust arrangements for the safety of children and adults are in place within CCBC.

2.2. The Corporate Safeguarding Board will be chaired by the Chief Executive.

2.3. The Board will act on a Strategic level in order to:

- assure relevant Cabinet Members that the Council's procedures are robust where matters of safeguarding children and adults are concerned;
- Bring together interdepartmental work in the safeguarding field and ensure effective corporate communication;
- Support the functions and duties of the Statutory Director within the Council;
- Resolve any possible barriers that could prevent having effective and successful procedures in place;
- Identify any gaps in corporate policies and guidelines and ensure they are addressed, working appropriately with the North Wales Regional Safeguarding Board
- Ensure that appropriate training is available for officers and members, in line with the National Safeguarding Training Standards.
- Receive and consider information about trends in relation to allegations of people in a position of trust, and adopt action plans to respond should the need arise;
- Receive and challenge information about corporate safeguarding performance and the progress against work programmes commissioned

- Consider and understand the implications of Single Unified Safeguarding Review and ensure that the Council responds effectively to recommendations within such reviews;
- Produce an Annual Report for the Social Care and Health Scrutiny Committee .

### **3. CHAIRING**

Chief Executive Officer

### **4. FREQUENCY OF MEETINGS**

Meetings every quarter

### **5. GOVERNANCE AND ACCOUNTABILITY**

- 5.1. The Corporate Safeguarding Board is accountable to Social Care and Health Scrutiny Committee.
- 5.2. Business Management [i.e. creating a work programme, meeting agendas, secretariat, central communication point, organising additional professional advice if needed] through the function of Head of Children, Family & Safeguarding Services.

### **6. MEMBERSHIP**

Chief Executive Officer

Council Leader

Cabinet Member for Children, Family and Safeguarding Service

Cabinet Member for Integrated Adult and Community Services

Chair Finance and Resources Scrutiny Committee

Cabinet Member for Education

Cabinet Member for Culture and Leisure

Strategic Director of Social Care and Education

Head of Service Children, Family and Safeguarding Services

Head of Service Integrated Adults & Community Services

Head of Education Services

Head of Regulatory and Housing Services

Head of Corporate Human Resources

Economy and Culture

Head of Information Technology and Digital Transformation

Head of Audit and Procurement

Head of Environment, Roads & Facilities

Head of Law and Governance, Legal Services

Safeguarding Service Manager



## APPENDIX 4 – Measuring Impact and Monitoring

In order to ensure that the procedures contained in the corporate safeguarding policy are fully complied with across the Council, and that their implementation secures a positive effect on the lives of children and adults, it is vital to ensure that the following steps happen:

- It is essential that the policy is communicated effectively to all members of staff, councillors, volunteers, children, parents, carers and anyone else who is affected;
- There are responsibilities for the Designated Safeguarding Managers in the Departments to ensure that all their staff are familiar with the policy and supplementary procedures;
- There are individual responsibilities on all members of staff, councillors and volunteers to advocate and promote the policy to establishments or partners, and to ensure that the Council's values and principles in the safeguarding field are communicated clearly to children, their parents, carers and to the public;
- Ensure that every Department includes Safeguarding within their individual Service Performance Review;
- Ensure that every department reflects safeguarding as a main priority in their individual business plans, and ensure that every activity takes safeguarding issues into account as a matter of procedure;
- Ensure that every department ensures compliance with the corporate performance monitoring procedure in relation to safeguarding, training and safer recruitment;
- Ensure through participation and engagement, such as the Annual Citizen's Survey, that children and adults feel safe in every aspect of their lives and that the Council's activities in the safeguarding field contribute to their feeling of being safe;
- Ensure that a summary of the annual safeguarding self-assessment which are undertaken by school are analysed by the Education Safeguarding lead and the outcome is reported to the Corporate Safeguarding Board;
- Ensure that the National Safeguarding Training Standards are followed and available at every level.
- Ensure that an annual report is submitted to the Social Care and Health Scrutiny Committee which will provide information on any safeguarding activity and progress against the action plan;
- Ensure that any service commissioned by or on behalf of the Council complies fully with the safeguarding expectations set out in the agreement.

## **APPENDIX 5 – Related Documentation / Legislation and Guidance**

[Wales Safeguarding Procedures \(April 2020\)](#)

[Children Act 1989 and Children Act 2004](#)

[Equality Act 2010](#)

[Human Rights Act 1998](#)

[Mental Capacity Act 2005](#)

[More than just Words \(2016\)](#)

[Social Services and Well-Being \(Wales\) Act 2014](#)

[Violence against Women, Domestic Abuse and Sexual Violence \(Wales\) Act 2015](#)

[The Counter Terrorism and Security Act 2015](#)

[Modern Day Slavery Act 2015](#)

[Code of Practice Volume 5 – Handling Individual Cases to Protect Children at Risk](#)

[Code of Practice Volume 6 – Handling Individual Cases to Protect Adults at Risk](#)

[Code of Practice Volume 7 – Safeguarding Children from Child Sexual Exploitation](#)

[Domestic Abuse Act 2021](#)

[Safeguarding children in relation to the Children \(Abolition of Defence of Reasonable Punishment\) \(Wales\) Act 2020.](#)

[Single Unified Safeguarding Review](#)