



# Safeguarding guidance notes and procedures for councillors

October 2013



**NORWICH**  
City Council

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## Introduction

### Member safeguarding guidance and procedures

#### Introduction

Norwich City Council recognises that it plays a vital role in keeping people safe in our city and the council fully understands its roles and responsibilities for the safeguarding of children and vulnerable adults.

As member champions for safeguarding, we know there is genuine commitment from all councillors to do the best we can to keep children and vulnerable adults safe from harm.

The council is therefore committed to playing its part to make sure children and young people and vulnerable adults are safe.

The council is one partner in the multi-agency approach to safeguarding so it is vital that the council works collaboratively with other agencies to achieve this. Councillors equally have an important role to play when they are carrying out their duties.

We know from the high profile cases in the media that at times agencies don't always get it right. However, we hope you find the pages in this new guidance document a useful resource in helping us all to safeguard all vulnerable people in Norwich.

Safeguarding is quite rightly everyone's business and this guidance document will help councillors fulfil this role.

Cllr Brenda Arthur  
Safeguarding adults member champion

Cllr Mike Sands  
Safeguarding children member champion

# Safeguarding policy statement – Norwich City Council

## General principles

Norwich City Council recognises the serious effect that abuse can have on all residents. The welfare of vulnerable people is paramount and, although it is the responsibility of the relevant agencies according to statutory requirements to determine whether or not abuse has taken place, it is everyone's responsibility to report any concerns. Abuse can occur irrespective of background and in different forms. All people whatever their age, culture, ethnic origin, gender, language, religion or belief, sexual orientation, or whether or not they have a disability, have the right to protection from abuse.

## Definitions

### Children and young people

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 in circumstances consistent with the provision of safe and effective care
- taking action to enable all children to have the best life chances.

Child protection is a part of safeguarding and promoting welfare. This refers to the activity that is undertaken to protect specific children who are suffering, or are at risk of suffering significant harm.

Definitions taken from: Working Together to Safeguard Children: A guide to inter-agency working to safeguard and promote the welfare of children (Dept of Education 2013).

In this document the terms child, children, young person and young people are used interchangeably to represent anyone who has not yet reached the age of 18.

## Vulnerable adults

Any person aged 18 or over who:

- is or may be in need of community care services by reason of mental, physical or learning disability, age and illness
- is or may be unable to take care of him or herself or unable to protect him or herself against significant harm or serious exploitation.

Definition taken from Safeguarding adults joint policy and operational procedures: Norfolk Safeguarding Adults Board June 2006

## Other terms

The term parent is used throughout this document to represent parents, carers and guardians.

The term 'vulnerable people' is used throughout this document to include children and young people, vulnerable adults and all related terms.

## Abuse

'The violation of an individual's human and civil rights by any other person or persons' (Department of Health, 2000)

Abuse commonly occurs within a relationship of trust or responsibility and represents an abuse of power or a breach of trust. It includes bullying and domestic violence. Abuse may be perpetrated in a family or institutional or community setting by those known to the individual victim or, more rarely, by a stranger. It can happen in any setting.

## Types of abuse

This list is not exhaustive.

### Physical abuse:

- Hitting, shaking, pushing, kicking, throwing, poisoning, burning or scalding, drowning, suffocating, punching, biting, deliberate burns, stabbing, strangulation, unnecessary or inappropriate restraint and other forms of assault.
- Medical mistreatment such as withholding or inappropriately altering or administering medication or other treatments, and fabricating the symptoms of, or deliberately inducing, illness.

### Psychological or emotional abuse:

Deprivation of social contact or deliberate isolation, overprotection and limitation of exploration and learning, being made to feel worthless or inadequate, humiliation, blaming, verbal abuse, lack of privacy or choice, use of coercion, using threats or fears to over-ride a person's wishes, treating an adult as if they were a child. It may involve serious bullying.

### Neglect:

- Lack of care, deprivation of necessary personal care, failure to protect from harm, failure to provide adequate food, clothing and shelter (including exclusion from home or abandonment), failure to provide access to appropriate medical care or treatment, removal of aids to daily living.
- For children it includes neglect of or unresponsiveness to a child's basic emotional needs. For vulnerable adults it includes failure to give information about sexual and reproductive health.

### Sexual Abuse or exploitation:

Involves forcing or enticing a vulnerable individual to take part in sexual activities including prostitution whether or not they are aware of what is happening. This may include non contact activities such as watching or producing online images, and watching sexual activities.

### Financial abuse or exploitation:

Stealing, theft of money or property, deceiving or manipulating a person out of money or property, withholding or misusing money or property, stripping a person of their assets, exploitation of dependence for personal gain, misuse of benefits by others.

### Discriminatory abuse:

- Racist, sexist, or homophobic abuse, abuse relating to age, disability or illness.
- Acts or comments, including incitement to others to commit abuse.

### Domestic abuse

Domestic abuse is defined as any incident of threatening or coercive behaviour, violence or abuse (whether physical, sexual, emotional, psychological, financial or verbal) that occurs between parties where there is or was an intimate relationship.

It occurs across the whole of society regardless of age, gender, race, marital status, religion, sexual orientation, or whether they have a disability, and can occur in any type of relationship, such as marriage/civil partner, former marriage/civil partner, former/current boyfriend/girlfriend, family or former family members, extended family or former extended family members, including sibling to sibling and young person to parent and any form of cohabitation.

Domestic abuse can affect adults and children either from being abused, threats of being abused or from the impact of witnessing such abuse. Crimes committed in the name of 'honour', forced marriage and female genital mutilation are also considered acts of domestic abuse. Recent changes in domestic abuse law protect victims from aged 16 and incorporate the crimes of stalking.

Domestic abuse is rarely a one off incident and typically involves a pattern of abusive, persistent and controlling behaviour, where the perpetrator seeks power over the victim.

## Legal framework

### **Safeguarding children and young people CHILDREN ACT 2004**

#### **The United Nations Convention of the rights of the child Article 19**

### Safeguarding adults

There is no specific legislation relating to safeguarding adults. However there is a wide range of legislation applicable to adults, which allows authorities to act.

There is statutory guidance released by the Department of Health 'No Secrets' (2000).

### **Other relevant legislation relating to adults includes:**

- Rehabilitation of Offenders Act (1974)
- Human Rights Act (1998)
- Public Interest Disclosure Act (1998)
- Sexual Offences Act 2003
- Domestic Violence, Crime and Victims Act 2004
- Protection of Freedoms Act 2012
- Disability Discrimination Act 2003
- Mental Health Act 2005
- Data Protection Act (1998)

## Roles and responsibilities

Councillors have a responsibility to:

- report concerns about a child or vulnerable adult to the appropriate organisation or responsible body
- avoid situations that may be misinterpreted and lead to allegations of inappropriate behaviour.

Councillors should inform the relevant officers if they have a concern and need advice on reporting abuse, or if they are concerned about a colleague potentially perpetrating abuse.

Norwich City Council has a responsibility to ensure councillors are aware of the procedures, have access to appropriate training and co-operate with statutory agencies during any investigation.

### Local authorities

In Norfolk, the county council provides adult or community services, and children's services. All district councils have a statutory duty under the Children Act (2004) to ensure the welfare of children and work with the local safeguarding children's board to comply with its procedures. When a child protection referral is made, the county council has a legal responsibility to investigate.

In Norfolk, district councils are required to work closely with partners and contractors to ensure that procedures are in place to protect children and vulnerable adults and that reporting methods are robust.

### Police

Police are responsible for effective agency working with local authorities in the investigation and resolution of child or vulnerable adult protection cases and cases of domestic abuse and sexual violence.

They are the first point of contact for concerns out of office hours or if an individual appears to be in danger of immediate harm.

### Good practice

It is recognised that not all councillors will have direct contact with children and vulnerable adults as part of their roles. However some will as part of their ward councillor role or for civic duties and all have responsibility to vulnerable people.

It is important that councillors operate within a safe working environment for children and vulnerable adults. If councillors adhere to the principles of safe working, this benefits the work and reputation of the council by developing an open and positive climate. Councillors should also maintain the organisation's reputation for integrity and responsibility in dealing with vulnerable people.

### Confidentiality

All information regarding children and vulnerable adults is confidential and should only be shared with appropriate authorities as required. Information must also be stored securely.

Where there is a potential conflict of legislation or protocols regarding information sharing with responsible agencies, the safety of vulnerable people **must always** take precedence.

Note that a breach of the duty of confidentiality would also engage the councillors' code of conduct.

### Councillor duties

Councillors should ensure that they do not have unsupervised contact with vulnerable people in their role as a councillor. Some councillors may have this level of contact in their employment or in a voluntary capacity, and will have been required to have a criminal records check or disclosure and barring service check to undertake this.

It is important that members avoid unsupervised contact with a vulnerable person to prevent the risk of an allegation of inappropriate behaviour.

### Training

All councillors will be offered training in order to recognise and understand their individual responsibilities for ensuring the safety of children and vulnerable adults. The training will develop the councillor's ability to review their own best practice and:

- identify potential incidences of abuse
- identify potential poor practice by others
- understand processes for reporting and discussing concerns
- work towards improving practice so that no vulnerable people are placed at risk.

### Procedures

#### • Immediate danger

If a child or vulnerable adult is in immediate danger then contact the police in the first instance, by calling 999.

#### • Reporting concerns

If you suspect that abuse is occurring or a disclosure has occurred, this situation must be prioritised and responded to by reporting the occurrence to Norfolk County Council's Multi Agency Safeguarding Hub (MASH) team – see flow chart, appendix C.

- **Allegations of abuse by councillors**

Suspensions of poor practice that are observed or reported to a councillor should be reported to the monitoring officer who will take appropriate action and notify the appropriate public authority.

- **Allegations of abuse by officers**

Suspensions of poor practice by an officer that are observed or reported to a councillor should be reported to the deputy chief executive. The deputy chief executive officer acts as the council's lead senior officer for safeguarding and, in conjunction with the council's senior safeguarding officer, will take appropriate action and notify the relevant public authority.

- **Whistle-blowing (institutional abuse)**

Serious concerns about poor practice in the organisation or the council's approach to safeguarding should be addressed by referring it to the monitoring officer.

## Implementation and review

- **Implementation**

This document will be provided to all councillors. It will be reviewed annually to ensure that reporting procedures are up to date and relevant.

- **Reporting to commissioned organisations**

Relevant authorities must be informed of concerns or suspicions of abuse that potentially endanger children and vulnerable adults.

Councillors may represent the council on outside bodies. If a councillor has a safeguarding concern that relates to the behaviour of officers or trustees within these organisations, these concerns should be reported to the organisation. They should also make the relevant senior officer for each outside body aware of their concerns.



## APPENDIX A - Safeguarding leads

Contact details of the safeguarding leads to contact if there are concerns about council officers:

Roles	Safeguarding contacts
Corporate lead for safeguarding	Name: Jerry Massey, Role: Deputy chief executive t: 01603 212225 e: jerrymassey@norwich.gov.uk
Senior safeguarding officer	Name: Bob Cronk, Role: Head of local neighbourhood services t: 01603 212373 e: bobcronk@norwich.gov.uk

Contact details of the monitoring officer if there are concerns about another councillor:

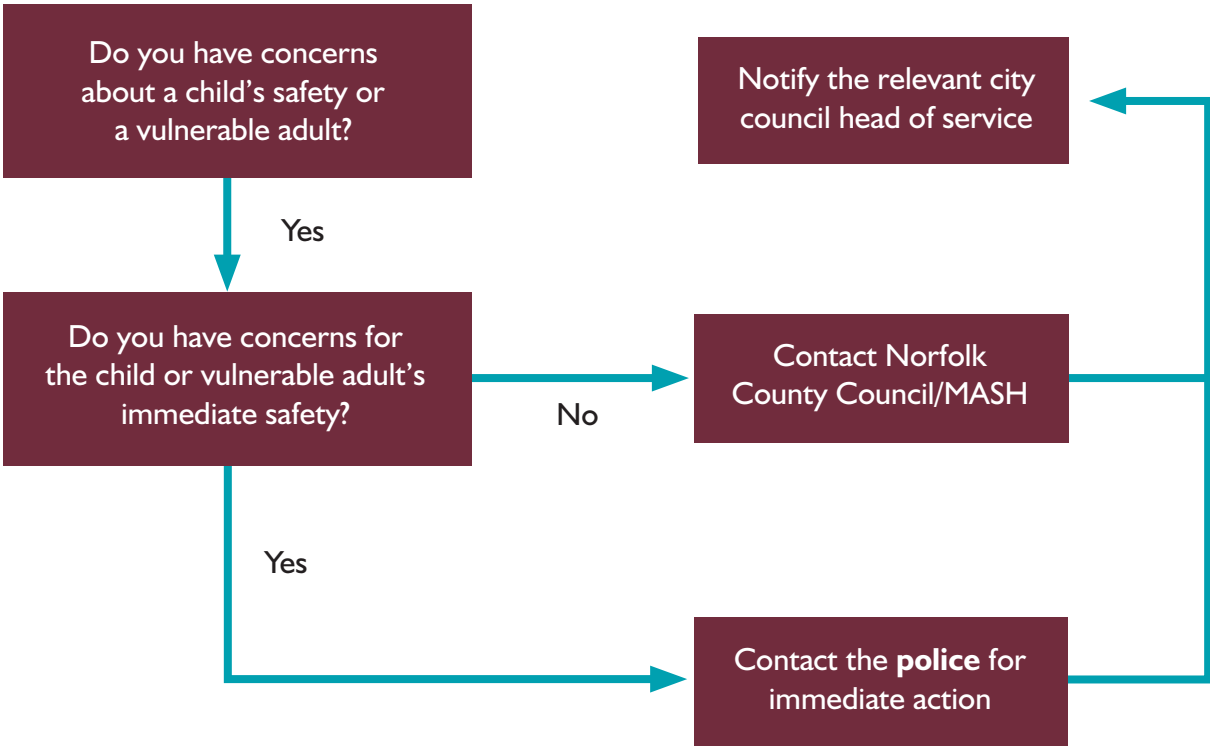
Roles	Safeguarding contacts
Monitoring officer	Name: Phillip Hyde Role: Head of law and governance t: 01603 212440 e: Philliphyde@norwich.gov.uk

## APPENDIX B – Essential contacts

Local contacts		
Children’s services	t: 0344 800 8020 Access Service, PO Box 3210, Norwich NR7 7AB f: 01603 762445 Textphone: 01603 763585	
Community Services (adults)	t: 0344 800 8020 Community Services (adult care) Blickling Hall Blickling Norfolk NR11 6NF	
Police (Family Protection Unit)	In an emergency telephone: 999	
Norfolk Safeguarding Children Board	General matters. t: 01603 223409 Norfolk Safeguarding Children Board Room 60 Lower Ground Floor County Hall Martineau Lane Norwich NR1 2UG	
<b>Leeway</b> Leeway is a local specialist domestic abuse charity supporting all adults, children and young people <b>Leeway helpline</b>	t: 01603 623745  t: 0845 241 2171	
National contacts		
The NSPCC	National Centre 42 Curtain Road London EC2A 3NH	t: 0207 825 2500 Helpline: 0808 800 5000
Childline UK	Freepost 111 London N1 0BR	t: 0800 1111
<b>24-hour National Domestic Abuse helpline</b>		Freephone: 0808 2000 247

# APPENDIX C

Quick guide to child protection and safeguarding adult procedures.



**Police – 999; Norfolk County Council MASH – (Multi Agency Safeguarding Hub) 0344 800 8014**

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