

# Policy and Guidelines for Safeguarding Children and Adults



Reviewed May 2021





Gwynedd Council

# Policy and Guidelines for Safeguarding Children and Adults



*Reviewed May 2021*



**“Safeguarding children and adults is the responsibility of everyone who represents or works on behalf of the Council. We are all responsible for reporting any concern or suspicion that a child or vulnerable adult is being abused. This Policy and its appendices is a clear statement of the commitment to ensure that appropriate help and support are in place in order to achieve that responsibility”.**

## **I. INTRODUCTION**

- I.1 One of Gwynedd Council’s main priorities is to ensure that robust arrangements and procedures are in place to ensure that children and vulnerable adults are protected from abuse, neglect, radicalisation, slavery, domestic abuse and exploitation.
- I.2 As a Council, we are of the opinion that every child and adult has a right to be safe from harm. The Council acknowledges its role and responsibilities to provide definite guidance for Council Members, staff, volunteers, service providers and those people whom we serve in this key field.
- I.3 “Safeguarding” is everybody’s business within the Council. Whilst Social Services is the Lead Service for dealing with enquiries regarding allegations / concerns that children and adults may be suffering substantial harm, everyone has a responsibility to safeguard the welfare of children, young people and adults, whatever the role of the individual.
- I.4 It must be emphasised that “safeguarding” is a wider concept than the protection of children and adults and deals with the promoting of:
- physical, emotional and mental health
  - protection from harm and neglect
  - education, training and leisure
  - their contribution to society
  - social and economic well-being
- I.5 Although everybody working with children, young people and adults are committed to safeguarding and promoting their welfare, a number of organisations have statutory roles or duties:
- under Section 28 of the Children Act 2004, Gwynedd Council has a duty to ensure that it undertakes its functions from the perspective of the need to safeguard and promote the welfare of children;
  - under Section 17 of the Crime and Disorder Act 1998, it is Gwynedd Council’s duty to ensure that every reasonable step is taken to protect adults and prevent crime and disorder when it undertakes its functions.
  - under Section 7 of the Social Services and Well-being (Wales) Act 2016 there is a new cross-cutting duty to promote the well-being of people who require care and support. The Act defines well-being as something which has eight common aspects, one of which involves protection from abuse and neglect. In relation to a child, well-being also means his/her physical, intellectual, emotional, social and behavioural development, and his/her welfare (namely ensuring that he/she is kept safe from harm).
  - Under section 2 of the Wales Safeguarding Procedures 2020 there is a duty to make a report about any child or adult considered to be at risk of abuse, neglect and/or harm.

## **2. PURPOSE OF THIS DOCUMENT**

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

### **2.1 Aims and Principles of the Policy and Guidelines**

2.1.1 The following are the aims of the Safeguarding Policy and Guidelines:

- to highlight the manner in which Gwynedd Council undertakes its legal commitments in the field of the safeguarding of adults and children
- to give assurance to Council Members, members of the public, service users, staff and volunteers working on behalf of the Council that there are clear arrangements in place to safeguard and protect children and adults
- that Council Members, staff and volunteers and others who work on behalf of the Council have clear guidelines to be used when there is doubt that a child or adult is at risk of harm.

2.1.2 We are of the opinion as a Council that it is always unacceptable for a child or adult to be abused or be 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, exploitation, 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 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 in order to safeguard and promote the welfare of children and adults
- as a Council we will respect the rights, wishes, feelings and privacy of children and adults by listening to them and reducing any risks that may affect them to the minimum;
- as a Council we will invest in preventative work and early intervention and try to avoid situations where abuse or allegations of abuse or harm may occur.

### **2.2 Outcomes**

2.2.1 These Policy and Guidelines reflect the Council's commitment to safeguard children and adults and to protect them from being abused.

2.2.2 When the Guidelines are introduced, we will measure the effect regularly and accomplish the following high-level outcomes:

- there is a clear understanding amongst staff, Councillors and those working on behalf of the Council of the policies and guidelines for the protection of children and adults
- there are robust corporate and departmental procedures in place to ensure compliance with the Policies and Guidelines introduced here
- there are clear and unambiguous communication arrangements in place across the organisation, including information about the key officers in each Service who are responsible for children and adult protection issues
- there is compliance between the procedures and associated protocols for the protection of children and adults and those which are operational on an all-Wales basis
- that Members, staff and volunteers receive information and training regarding the guidelines and that this is a continuous and consistent arrangement within the Organisation.

### 3. **RESPONSIBILITIES AND DUTIES**

- 3.1 All Councillors, members of staff, volunteers and contracted service providers are responsible for adhering to the guidance and guidelines noted in this Policy.
- 3.2 By following the correct procedures, it is possible to ensure that the appropriate steps are implemented to deal with any concern/allegation or doubt.
- 3.3 This means that every Department within the Council has a key role to play and has to take full ownership of the safeguarding field. Therefore, there is a need to ensure that there are clear arrangements and procedures in place within each Department in the Council to ensure that enquiries to allegations / concerns that children and adults may be suffering substantial harm receive due consideration.
- 3.4 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 Department in the Council.
- 3.5 A copy of “Signs of Abuse” is submitted in Appendix 1 and the “Code of Conduct and Safe Working Processes” in Appendix 2.
- 3.6 Also, in Appendix 3, a statement is attached of the Council’s commitment in order to train staff (and Councillors) in the field of safeguarding. Appendix 4 also introduces detailed guidelines in relation to “Disclosure of Offences and Checking Criminal Records”.
- 3.7 In this respect, every Department is expected to draw-up its own policies and procedures for safeguarding children and adults to fully comply with this corporate Policy and Guidelines.

### 4. **FUNCTIONS OF OFFICERS AND KEY MEMBERS**

#### 4.1 Corporate Director (Statutory Director Social Services and Lead Director Children and Young Adults)

Current Post-holder: Morwena Edwards

[t. 01286 679227 e. [AwenMorwenaEdwards@gwynedd.llyw.cymru](mailto:AwenMorwenaEdwards@gwynedd.llyw.cymru)]

Throughout the document the role in the Policy will be abbreviated to Statutory Director (Social Services)

- 4.1.1 The Statutory Director (Social Services) has the final and indivisible responsibility for safeguarding issues.
- 4.1.2 The Statutory Director (Social Services) will undertake the responsibilities stipulated in the Code of Practice on the Role of Directors of Social Services under Part 8 (Social Services Functions) of the Social Services and Well-being (Wales) Act 2014.
- 4.1.3 The code of practice stipulates that the Director has responsibility for ensuring that the Council has appropriate safeguarding measures and arrangements in place to protect children, young people and vulnerable adults. The Director is also responsible for reporting to Councillors regularly on these arrangements and how they work.

#### 4.2 **Lead Director for Children and Young People**

**Current Post-holder: A Morwena Edwards (Corporate Director)**

[t. 01286 679227 e-mail - [AwenMorwenaEdwards@gwynedd.llyw.cymru](mailto:AwenMorwenaEdwards@gwynedd.llyw.cymru)].

- 4.2.1 The Children Act (2004) places a responsibility on every Local Authority in Wales to appoint a Lead Director for children and young people services and to appoint a Specified Lead Member for children and young people services.
- 4.2.2 The Lead Director is responsible for offering leadership and promoting a partnership when planning for children and young people corporately across the Council's departments and its partners.

4.2.3 The Lead Director will be responsible for ensuring that the Council implements the United Nations' Convention on the Rights of the Child.

### **4.3 Designated Managers within Every Department**

4.3.1 Every Department within the Council has nominated a "Designated Manager" for dealing with safeguarding children and adults issues.

4.3.2 The Designated Managers are responsible for:

- acting as a key source of advice and support for other staff in the Department on all safeguarding issues
- familiarising themselves with Gwynedd Council's Policy and Guidelines for Safeguarding Children and Adults along with Wales Safeguarding Procedures and Child Protection Guidelines and the Policy and Procedures for the Protection of Vulnerable Adults
- ensuring that there are effective internal procedures for dealing with concerns within the Department, working in close collaboration with the Social Services to achieve this
- representing the Department on the Council's Operational Panel for Safeguarding Children and Adults
- ensuring that the process of conforming with this Policy and Procedure is monitored by reporting regularly to the Departmental Management Team
- attending the relevant training for "Designated Managers".

4.3.3. Any member of staff with concerns regarding the behaviour of a colleague towards children or an adult should contact the Designated Manager or a nominated deputy within the Department immediately.

4.3.4 See **Appendix 5** for a list of the Designated Managers for every Department.

4.3.5 The individuals should refer their concerns regarding safeguarding if allegations are made against a "Designated Manager" to the Head of Department/Director.

### **4.4 Every Head of Department**

4.4.1 Every Head of Department – 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 quality, content and frequency of the training provided and maintaining sufficient staff training records.

4.4.2 Every Head of Department must ensure that every staff members in relevant posts are checked by means of the Disclosure and Barring Service and that their staff conform with the Policy and Guidelines for Safeguarding Children and Adults. Every Head of Department must establish arrangements to ensure that they comply with the requirements of this policy and the Council's Disclosure of Offences and Checking Criminal Records Policy. Every Head of Department must ensure that records are kept of every check undertaken by the Disclosure and Barring Service.

4.4.3 Every Head of Department is expected to co-ordinate the process of preparing the Policy and Guidelines for Safeguarding Children and Adults in their Department. These procedures are expected to be prepared in order to highlight the Department's arrangements to respond to issues that could arise in the safeguarding field. The procedures will be required to fully comply with the Corporate Policy and Guidelines.

4.4.4 Every Department in the Council will be expected to report on their safeguarding procedures to the Safeguarding Children and Adults Strategic Panel.

4.4.5 The Council's Management Group will convene all Heads of Department, Directors and the Chief Executive on a monthly basis. There will be an opportunity at these meetings for any of the Heads to refer to safeguarding issues. There will be an opportunity at the start of the meeting for any of the Heads to do this.

## **4.5 Every Line Manager**

- 4.5.1 Every Line Manager is responsible for ensuring that the staff for which they are responsible receive the training they require and that the training is proportionate to their responsibilities. There are guidelines regarding which members of staff should receive training and to which level available by the Corporate Support Department.

## **4.6 All Members of Staff and Volunteers**

- 4.6.1 All members 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 within their Department.

## **4.7 Contractors, Sub-contractors or Other Organisations funded by or on behalf of Gwynedd Council**

- 4.7.1 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 and ensuring that their staff comply with the appropriate Policy and Procedures for Safeguarding Children and Adults. They are also responsible for informing relevant managers of the Council about any concerns they may have and to refer to protection issues. It is the responsibility of the manager of the contract to ensure compliance with these requirements.

## **5. THE ROLE OF THE COUNCIL'S ELECTED MEMBERS (COUNCILLORS)**

- 5.1 To ensure ownership and understanding of the safeguarding field across the Council, every elected member (Councillor) will receive 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 Strategic Panel. The training will raise awareness of Gwynedd Councillors of this Policy and Guidelines and increase the understanding of Council Members of the safeguarding procedures that exist within the Council.
- 5.2 Every elected member will be supported on how to maintain their roles within this safeguarding policy. "Good Practice Guidelines for Councillors - Safe Contact with Children and Vulnerable Adults" is submitted in Appendix 6.
- 5.3 Every Councillor will act in accordance with the principles of this Policy and will follow the guidelines and procedures attached to the Policy in order to safeguard children and adults from harm and abuse.
- 5.4 The Cabinet Member for Adults and Health, the Cabinet Member for Education and the Cabinet Member for Children and Young People will be lead on the field of Safeguarding across the Council.

**Cabinet Member - Children and Young People - Cllr Dilwyn Morgan**  
(t. - 07824 983305 e-mail - [Cynghorydd.DilwynMorgan@gwynedd.llyw.cymru](mailto:Cynghorydd.DilwynMorgan@gwynedd.llyw.cymru))

**Cabinet Member - Adults Health and Wellbeing - Cllr Dafydd Meurig**  
(t. - 07765 400140 e-mail - [Cynghorydd.DafyddMeurig@gwynedd.llyw.cymru](mailto:Cynghorydd.DafyddMeurig@gwynedd.llyw.cymru))

**Cabinet Member - Education – Cllr Cemlyn R Williams**  
(t. - 07955951403 e-mail - [Cynghorydd.CemlynWilliams@gwynedd.llyw.cymru](mailto:Cynghorydd.CemlynWilliams@gwynedd.llyw.cymru))

- 5.5 These Cabinet Members will be standing members on the Safeguarding Strategic Panel. Cabinet Members will report on the work of the Strategic Panel to the Care Scrutiny Committee, to the Cabinet and to the Full Council annually.
- 5.6 The Cabinet and its members will receive a report from the Cabinet Member for Adults Health and Wellbeing, the Cabinet Member for Education and the Cabinet Member for Children and Young People on the work of the Strategic Panel annually, and will give guidance and direction to the work of the Strategic Panel.

- 5.7 Members of the Care Scrutiny Committee (18 Councillors) will scrutinise and receive information regarding the work programme of the Strategic Panel, 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 Strategic Panel's work programme.
- 5.8 All Members of the Council will receive a report on the work of the Safeguarding Children and Adults Strategic Panel in the form of an "Annual Report" to the Full Council, reviewing what has been achieved by the Panel, along with the priorities of the work programme for the coming year.

## **6. THE PROCEDURE FOR REFERRING A CONCERN**

- 6.1 Any member of staff or Elected Member with concerns regarding the safety of a child or adult should immediately contact

**The Children Services Duty Team on 01766 772577**

Or

**The Adults Service Advice and Assessment Team on 01766 772577**

- 6.2 For any concerns regarding the safety of a child or adult outside usual office hours, **after 5.00 pm Monday to Friday and on weekends and Bank Holidays**, they should contact

**The Social Services Out of Hours Team on 01766 772577**

- 6.3 The Police must be contacted immediately if the child or adult is in direct danger.
- 6.4 If a member of staff has concerns regarding the behaviour of a colleague or needs advice about a concern / doubts about the safety of a child or adult they could contact the Designated Manager in their Department. If the Designated Manager is unavailable, then the matter must be referred immediately to the **Teams noted above**.
- 6.5 It is crucial not to delay.
- 6.6 A copy of the details of the "Referral Process" is in **Appendix 7**. Also, a copy of the detailed guidelines in relation to 'Dealing with Allegations of Professional Abuse' is included in **Appendix 8**.

## **7. CORPORATE GOVERNANCE FRAMEWORK**

### **7.1 Safeguarding Children and Adults Strategic Panel**

- 7.1.1 The responsibility for undertaking an overview of the children and adults safeguarding arrangements has been delegated to the Safeguarding Children and Adults Strategic Panel by the Cabinet.
- 7.1.2 The main responsibilities of the Panel is to ensure that robust arrangements for safeguarding children and adults are in place within Gwynedd Council.
- 7.1.3 The Panel meets on a bi-monthly basis. A copy of the Panel's terms of reference is in **Appendix 9**.

## **7.2 Safeguarding Children and Adults Operational Panel**

- 7.2.1 The Operational Panel is accountable to the Safeguarding Children and Adults Strategic Panel and acts in accordance with the guidance and requirements of that Panel.
- 7.2.2 The Membership of the Operational Panel includes Designated Managers for the field of safeguarding children and adults in every Department within the Council. The Panel is a key method of ensuring that the Designated 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 Strategic Panel regarding updating or amending the Council's Policy in this field.
- 7.2.3 Another important role for the Operational Panel is to monitor performance across the services from the perspective of safeguarding children and adults. The Panel reports twice a year to the Strategic Panel to this end, highlighting any concerns or obstacles clearly.

## **8. REPORTING, MONITORING AND REVIEWING**

- 8.1 The Annual Report of the Safeguarding Children and Adults Strategic Panel will report on the Council's performance in complying with the Corporate Policy and Guidelines. The Annual Report will be submitted to the Corporate Management Team, the Cabinet and to the Full Council.
  - 8.2 This 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 events or allegations.
  - 8.3 Further details are included in Appendix 10 regarding the method in which the Council will measure effects and how it will monitor.
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## **Appendices**

Appendix 1 – Signs of Abuse

Appendix 2 – Code of Conduct and Safe Working Practices

Appendix 3 – Training on Safeguarding

Appendix 4 – Disclosure of Offences and Checking Criminal Records

Appendix 5 – List of Departmental Designated Managers

Appendix 6 – Good Practice Guidelines for Councillors : Safe Contact with Children and Vulnerable Adults

Appendix 7 – The Referral Process

Appendix 8 – Dealing With Allegations of Professional Abuse

Appendix 9 – Safeguarding Children and Adults Strategic Panel Terms of Reference

Appendix 10 – Measuring Effect and Monitoring

## **APPENDIX I: SIGNS OF ABUSE**

### **I. SIGNS OF ABUSE**

I.1 Anyone can abuse or neglect a child or an adult by causing harm or by failing to take action to prevent harm. Children or adults can be abused within their family or in an organisational or community setting by someone they know or by a stranger or on the internet. They can be abused by an adult, or adults, or by another child or children.

I.2 There are four types of child abuse. These are stipulated in the All Wales Child Protection Guidelines and Welsh Government's Guidelines on Safeguarding Children : Working Together under the Children Act 2004. This was updated recently by the Social Services and Well-being (Wales) Act 2014 which has included financial abuse as a new category.

I.3 There are several ways in which a vulnerable individual could be abused or neglected. It is not unusual for an adult being abused to suffer more than one type of abuse. In Safe Hands notes five main categories of abuse. The following categories and explanations provide an outline of some of the behaviours which could be defined as abuse or neglect.

#### **I.3 Physical Abuse**

I.3.1 Physical abuse may include hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating or causing any other type of physical harm to a child or adult.

I.3.2 Physical abuse can also be caused when a parent or carer fakes symptoms or deliberately causes a child or adult to become ill.

#### **I.4 Emotional / Psychological Abuse**

I.4.1 Emotional abuse is the long-term emotional abuse of a child until it causes serious and permanent effects on the emotional development of the child. It may mean conveying the idea to a child that he/she is worthless or unloved, that he / she is inadequate or has only a value to the extent that he / she satisfies the needs of another person. It could include setting expectations that are inappropriate to the age and development of the child. It could include seeing or hearing someone else being abused by domestic abuse or through bullying. It could lead very often to children feeling afraid or in danger or exploited or corrupted. There is an element of emotional abuse linked to every type of abuse although it could also exist on its own.

I.4.2 In the context of adults, emotional abuse includes causing deliberate worry by an individual that they expect to be able to trust and it may include humiliating them, verbal abuse, threats and depriving the individual of respect and dignity.

#### **I.5 Sexual Abuse**

I.5.1 Sexual abuse means forcing or luring a child or adult to participate in sexual acts, whether the child or adult is aware of what is happening or not. The sexual acts may include physical touching, including acts of penetrating the body of the child or the adult, or non-penetrative acts.

1.5.2 It could also include activities where there is no contact, such as including children or adults in the process of viewing or producing sexual images, watching sexual acts or encouraging children and adults to behave in an inappropriate sexual manner, or grooming a child or adult for the purpose of abuse (including through the internet).

## **1.6 Neglect**

1.6.1 Neglect is a constant failure to satisfy the physical and / or basic psychological needs of a child which is likely to lead to a serious impairment of the child's health or development. It may mean a parent's failure to provide adequate food, shelter or clothing; failure to protect a child from physical harm or danger, or a failure to ensure access to appropriate medical care or treatment.

1.6.2 Neglect may happen also during pregnancy when a pregnant mother is misusing substances.

1.6.3 In the context of adults, neglect is a failure by any individual who has a caring responsibility, or who is the carer of a vulnerable adult, to secure the level of care that would be reasonable for them to provide. It includes both intentional and non-intentional actions.

## **1.7 Institutional Abuse**

1.7.1 Institutional abuse affects more than one individual and happens when service managers do not give it due consideration. Such abuse may be carried out by one or several individuals. The abuse may be carried out by:

- A health worker, social care worker or another
- Employed carer or a volunteer
- A relative, friend or neighbour
- Another resident
- An occasional visitor or service provider
- Someone who deliberately exploits children or adults

## **1.8 Financial Abuse**

1.8.1 Adults may be exposed to financial abuse which includes intentional misuse of money or faking individuals' legal or civil rights, including using money or property inappropriately. This may include:

- Keeping a pension book or property
- Preventing or refusing access for the individual to his/her own money
- Mismanagement of bank accounts
- Not spending allowances on the individual
- Misuse of benefits
- Theft of money or property
- Pressurising an individual to change his/her will

## **2. INDICATORS OF ABUSE**

2.1 Some of the most obvious signs of abuse or bullying of a child or adult may include:

- Unavoidable or suspicious injuries, such as bruises, cuts, burns, especially if they are on a part of the body that would not usually sustain such injuries
- The explanation for the injury appears inconsistent

- The child or adult describes what appears to be an abusive action
- Someone else (a child or an adult) expressing concern regarding their welfare
- Behavioural changes that cannot be explained (e.g. being very quiet, reserved or having sudden outbursts of temper)
- Inappropriate sexual awareness
- Specific sexual behaviour
- Lack of trust in adults, especially those who would normally be expected to have a close relationship with them
- Difficulty in making friends
- Being prevented from socialising with others
- Variation in eating patterns including overeating or loss of appetite
- Weight loss without any obvious reason
- Becoming increasingly untidy and dirty
- Parents or carers not satisfying essential basic needs, e.g. adequate food, clothing, warmth, cleanliness and medical care
- Remember, if a child appears reticent, there may be a reasonable explanation. Perhaps he / she has had an experience that has caused worry, such as parents separating, divorce or bereavement

2.2 It is not the responsibility of staff to decide which abuse is taking place but they have a responsibility to act on any concerns by informing the Designated Safeguarding Officer within their Department or Service. For further information about the signs of abuse, refer to the Wales Safeguarding Procedures:

Children :

Wales Safeguarding Procedures <https://www.safeguarding.wales/chi/>

Signs of Abuse - <https://www.safeguarding.wales/chi/cp/c1p.p2.html>

Physical Signs - <https://www.safeguarding.wales/chi/cp/c1p.p2a.html>

Adults :

<https://www.northwalessafeguardingboard.wales/>

## APPENDIX 2: CODE OF CONDUCT AND SAFE WORKING PRACTICES

1. This code of conduct is a statement and 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 intends to reflect current practice and it is expected for employees to identify the following standards as those which they aim to reach daily.
3. It is expected that this code of conduct will provide a better understanding for members of the public using the Council's services of what is expected of the Council's staff and the manner in which the employer supports its staff to undertake their work effectively and respectfully of individuals' needs.
4. Every member of staff should provide 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. Gwynedd Council's codes of conduct), which could be relevant to roles, activities or specific events.
  - You should always be open to public scrutiny when working with children and adults and you should avoid situations where a Councillor, member of staff, a volunteer or service provider is alone with a child or children or vulnerable adults without anyone else to observe them;
  - You should follow the required process for reporting incidents, e.g. a significant incident, health and safety;
  - Children and adults have a right to privacy, equality, respect and dignity and a safe and positive environment;
  - Councillors, staff, volunteers and contracted service providers must give priority to the welfare and safety of the child or adult ahead of performance development;
  - If a child or adult arrives at an activity or service exhibiting signs or symptoms of 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 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 adult);
- Create an equal relationship based on mutual trust which empowers children and adults to share in the decision-making process;
- Obtain the latest 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 that the parent or carer of the participants have given their permission;
- Keep a written record of any injuries sustained, along with any treatment administered in accordance with Council Policy;

## YOU SHOULD NOT

- Touch or allow inappropriate touching in any way, use violence or inappropriate language or make suggestive sexual comments;
  - Make a child cry as a means of controlling them, or use any behaviour control techniques not authorised under the Council's Policy and Procedures;
  - Ignore allegations made by a child or adult;
  - Undertake tasks of a personal nature for children or adults which they can do for themselves;
  - Invite or permit children or an adult 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, electronic devices or a phone to access child pornography sites;
5. An employee who breaches any condition of the Code of Conduct will face an investigation and could face disciplinary steps which could lead to dismissal and the possibility of a criminal investigation if there is evidence of illegal activity.
5. 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 brought to the attention of the relevant authorities and he/she could face a criminal investigation.

## **APPENDIX 3: TRAINING ON SAFEGUARDING**

### **1. STATEMENT OF COMMITMENT**

- 1.1 Gwynedd Council is committed to ensuring that all staff who work with children, young people and adults undertake appropriate General Safeguarding Awareness Training.
- 1.2 Every member of staff who works with children, young people and/or adults should have information on safeguarding issues, in order to ensure that our children and young people workforce:
- Is aware of the principles of safeguarding;
  - Can identify the need to refer;
  - Knows how to deal with individual cases.
- 1.3 Priority is given in the Staff and Councillors training programme to develop an understanding of the Council's Policy and Guidelines for Safeguarding Children and Adults.

### **2. CONTENT OF THE TRAINING**

- 2.1 Every member of staff working with children, young people and adults should have information on safeguarding issues. The training will make workers aware of the difference between safeguarding and protecting children / adults. It will also make workers aware of the definition of the four types of abuse which happen to children, young people and adults, the main signs and indicators, obligations for staff and their personal responsibility to safeguard children and adults, and the procedures to follow should any worker have any concerns.
- 2.2 The General Safeguarding awareness training will include provision for the entire range of the safeguarding field, including but not limited to safeguarding children, safeguarding vulnerable adults, counter-radicalisation and domestic abuse.

### **3. LEARNING OBJECTIVES**

By receiving the training, attendees will be able to:

- Challenge myths and stereotypes associated with child abuse and the process of safeguarding children;
- Ensure that the child's voice and rights are the principal consideration.

Attendees will also:

Legislation, policies and procedures:

- Be aware of the legislation and the local and national policies which relate to safeguarding;
- Understand local and institutional policies and procedures which relate to safeguarding individuals who receive care from you (children), and how these are to be implemented in their work.

Understand and identify different types of abuse:

- Be able to note the main categories for abuse and neglect, and be able to identify the usual signs and symptoms associated with these;
- Understand that individuals have the right to be safeguarded from abuse and neglect;
- Understand that they need to ensure that their own actions or behaviour do not have a harmful effect on the individual in their care;

Understand how to respond to suspicions of abuse or neglect:

- Understand that they must report at once any suspicions of abuse or neglect, and know how and when they should inform the appropriate individual of these;
- Know how important it is to continue to voice concerns if they are not addressed after you have reported them, and how to do this;
- Understand the limitations of confidentiality and when to share information.

#### **4. PROVIDING THE TRAINING**

4.1 The General Safeguarding awareness training will be provided via a range of media including:-

- As part of an induction programme through the Corporate Learning and Development Programme for newly-appointed staff;
- As part of an induction programme for new elected members.
- As part of a learning and development package for the existing workforce.

4.2 The General Safeguarding awareness training is mandatory for all Council staff and elected members. Everyone will be required to attend a Safeguarding Refresher training at the appropriate level every three years

4.3 Note that specific and specialist safeguarding training arrangements are provided for some cohorts of the workforce. Those staff are expected to complete that training in accordance with the workforce development plan and/or in accordance with the requirements of their managers / service or legislation.

#### **5. METHOD OF DELIVERING THE TRAINING**

- A formal face-to-face training session or through e-learning;
- It is anticipated that the e-learning format may be more suitable for staff who do not have direct contact with children and young people, but who need to be aware of their responsibilities e.g. administrators;
- Following completion of an e-learning module, the member of staff will be required to hold a confirmation session with the Manager to ensure understanding of their responsibilities. A further formal face-to-face training session may be attended if this is felt necessary. Managers have a responsibility to ensure their staff's understanding of the field;
- It is suggested that every service considers holding staff refresher sessions on the field following completion of a formal face-to-face training session or an e-learning module e.g. Team Meetings.

#### **6. MEASURING THE IMPACT OF THE TRAINING**

6.1 The Operational Panel will put arrangements in place to measure the impact of the training provided, which may include staff surveys, internal audit.

6.2 Impact can also be measured through:

- Evaluation Forms for the training – completed by attendees;
- The Council's Procedure i.e. Staff Appraisal Scheme/Supervision Policy.

6.3 The impact will be reviewed by the Operational Panel, and changes recommended to the training in light of the experience/feedback of the managers/attendees of the training if required.

## APPENDIX 4: DISCLOSURE OF OFFENCES AND CHECKING CRIMINAL RECORDS

### I. POLICY

- I.1 Gwynedd Council's policy is to appoint the best person to every vacant post. Consideration is given to candidates of various backgrounds including those with criminal backgrounds. Criminal records will not be considered during the recruitment process if the offence is not relevant to the post applied for.
- I.2 All individuals interviewed for a post in the Council, or employed by the Council on a temporary basis will be required to disclose details of all unspent offences, including those awaiting a verdict, apart from minor driving offences. Also, for those posts that are exempt under the Rehabilitation of Offenders (Exceptions) Order 1975, every individual who is interviewed for any post or who is employed on a temporary basis by the Council is required to disclose details of offences that are spent (see Appendix 1).
- I.3 The Council will undertake a thorough risk assessment of vacant posts in order to decide whether or not they are exempt under the Rehabilitation of Offenders (Exceptions) Act 1975 and, therefore, there is a need for a Disclosure from the Disclosure and Barring Service (DBS). A Disclosure from the Disclosure and Barring Service (DBS) is required in order to undertake regulated activity.

**Regulated activity involving children is a term defined by law and is used to describe activity that involves working with children, be that in a paid or unpaid capacity.**

In general terms, regulated activity involving children comprises of:

- Unsupervised activities: teaching, training, instructing, caring for or supervising children, providing advice / guidance on well-being, or driving a vehicle for children.
- Working for a limited range of establishments ('specified places') with opportunity for contact: e.g. schools, children's homes, childcare premises.
- 

*Note that none of the above-mentioned is a regulated activity unless the activity is held regularly [see Appendix 2]. Statutory guidance on the tasks that can be undertaken under supervision is available on the Government's Education website*

[www.education.gov.uk/childrenandyoungpeople/safeguardingchildren/a00209802/disclosure-barring](http://www.education.gov.uk/childrenandyoungpeople/safeguardingchildren/a00209802/disclosure-barring)

- Relevant personal care, e.g. washing or dressing; or health care provided by or supervised by a professional.
- Registered child minders and foster carers.
- Moderate on-line forums or chat rooms provided mainly for children where an individual has access to the content and contact with service users.

**Any individual 18 years old or older may be defined as a vulnerable adult. The definition no longer labels specific adults as "vulnerable adults".**

This means that the focus is on the activities needed by the adult rather than where the activities are being held or on the personal features or circumstances of the person receiving the activities.

Providing health care (any professional worker providing health care to an adult or any individual providing health care under the instruction or supervision of a professional individual in the field of health care).

Providing personal care - anyone who:

- Provides physical support in relation to eating or drinking, going to the toilet, washing, dressing, mouth or skin, hair and nails care due to the adult's age, illness or disability.
- Motivates and then supervises an adult who, due to their age, illness or disability, is not able to make a decision to eat or drink, go to the toilet, wash, dress or care for their mouth, skin, hair or nails, without that motivation or supervision
- Trains, instructs or offers advice or guidance in relation to eating or drinking, going to the toilet, washing, dressing, mouth or skin, hair and nails care to adults who need it due to their age, illness or disability.
- Provides social work (the provision of social work by a social care worker): assistance with cash, bills and/or shopping
- Provides support in relation to the adult's personal business matters
- Transports an adult due to their age, illness or disability either from / to another site where they have or will receive health care, personal care or social care; or between sites where they have or will receive health care, personal care or social care. This does not include family and friends.

If you are uncertain whether or not a specific post is a regulated activity and requires a detailed DBS, you should contact the Human Resources Department for further advice.

An individual who has been barred should not undertake regulated activity.

Checking criminal records and the barred list is only one aspect of safe recruitment. Gwynedd Council undertakes its responsibility for safe recruitment and continuous regulation of its staff and volunteers, including checking criminal records if the candidate (or the post) is eligible and that the Council decides that such a check is necessary on grounds of the individual's designation and responsibilities.

The Council will pay the fee charged in relation to the application for a Disclosure for candidates who are offered posts that undertake such duties or duties that are defined as regulated activity.

The successful candidates for exempt posts will be appointed subject to receiving a satisfactory Disclosure, and where appropriate and practical, the necessary arrangements will be made to supervise the candidate should they commence in post prior to the Council receiving the Disclosure. However, the Council will limit the time permitted to receive a satisfactory Disclosure to two months from the employee's commencement date.

- 1.4 All staff members involved in the recruitment and appointment process will receive appropriate training in order to identify and assess the relevance and the circumstances of the offences and to be aware of the relevant matters when employing previous offenders.
- 1.5 The Appointing Panel, in consultation with the Head of Corporate Support or his representative, will assess a number of factors in relation to the nature of the offences and the post before determining the appointment.
- 1.6 As a DBS registered body, Gwynedd Council has committed to the DBS's Code of Conduct and will ensure that candidates are treated fairly and equally at all times. Gwynedd Council is also committed to the DBS's Code of Practice for storing and destroying Disclosures and any information deriving from them.
- 1.7 Gwynedd Council will operate as an Umbrella Body for individuals and organisations that are linked to the Council because of the nature of their activities.
- 1.8 Information obtained regarding convictions will only be used as part of the recruitment / selection process and will not be used for any other purposes. Aside from exceptional

circumstances, all information on convictions will be kept for a maximum of six months, and will then be destroyed.

- I.9 However, the Care and Social Services Inspectorate for Wales notes the need to retain disclosures of criminal records for individuals who work in child and adult care for a 12 month period before destroying them and the Council is committed to complying with this requirement.
- I.10 The frequency of renewing DBS checks for some posts is set by statute e.g. regulations deriving from the Care Standards Act 2000 set a frequency of every three years. Gwynedd Council is committed to undertake renewal of DBS checks every three years for every member of staff undertaking regulated activity or receives a detailed check without a check of the barred list. This provision will apply to any agency worker or volunteer who undertakes such activities on behalf of the Council.
- I.11 References will be required for consideration in all interviews. External candidates are required to name two referees and one of those should be their latest employer while internal candidates are required to name one Senior Manager only. However, if the member of staff's personal file does not contain two references following their appointment as an external candidate to their first post; they will be required to name two referees the next time they submit an application as an internal candidate.

Unless the references have been received prior to the interview, the final confirmation of the appointment will be subject to receiving the satisfactory references. The Council will allow an individual to commence in post in situations where references have not been received, but the time permitted to receive references will be limited to within two months of the employee's start-date.

## **2.0 RESPONSIBILITIES**

### **Head of Corporate Support Department**

- Ensure that arrangements are implemented in accordance with this policy and the DBS Code of Practice
- Act as Chief Signatory for the DBS's Disclosure Application procedure
- Be responsible for reviewing the policy and the procedure

### **Candidate**

- Provide all relevant information regarding convictions for the post by completing the relevant section of the Application Form
- Provide a completed Disclosure Application Form and supplementary documents as required.

### **Line Manager**

- Determine whether or not the post is exempt under the Rehabilitation of Offenders (Exceptions) Order 1975.
- Note the job category code if it is exempt and the level of Disclosure required on the relevant form
- Ensure that individuals who are appointed subject to receiving a satisfactory Disclosure receive appropriate supervision until the appointment is confirmed

### **Human Resources Advisory Service**

- Ensure that procedures are implemented in accordance with this policy and the DBS Code of Practice
- Confirm, where appropriate, that the post is exempt under the Rehabilitation of Offenders (Exceptions) Order 1975 and that that category code and the level of Disclosure needed is suitable.

- Ensure that all recruitment adverts and paperwork include relevant information regarding employing people with convictions
- Ensure that all candidates receive sufficient information regarding employing people with convictions, including a copy of this Policy and procedure
- Ensure that members of interview panels have received appropriate training for appointing people with convictions
- Ensure that all the relevant information regarding offences are available for the appointing panel to be able to make appropriate decisions
- Provide advice to the appointing panel regarding convictions and how relevant they are to the appointment
- Where appropriate, ensure that any offer of a post includes the relevant employment conditions relating to receiving a satisfactory Disclosure
- Ensure that post offers are confirmed following the receipt of a satisfactory Disclosure and a copy for the Line Manager
- Ensure that information on convictions is kept in accordance with this Policy, Data Protection Act 1998 and, where appropriate, the DBS Code of Practice

### **The Appointing Panel**

- Make appointment decisions that are based on an analysis of information regarding convictions and their relevance to the post
- Ensure that an application form for a Disclosure for the successful candidate is completed and signed by the appropriate registered counter-signatory
- Discuss appointment decisions made based on information about convictions with the candidate

### **Counter-signatory**

- Where appropriate, ensure that the DBS Disclosure Application Forms are completed correctly
- Ensure that Disclosures, when they are received, are used in accordance with the DBS Code of Practice.

## **3.0 PROCEDURE**

### **3.1 Disclosure of Offences**

- 3.1.1 Under the Rehabilitation of Offenders Act 1974 (ROA), an offence is spent following a specific period of time (the rehabilitation period – see Appendix 1). A caution, including a final caution, is considered to be spent once it has been issued. It is legal for an employer to ask about previous convictions; however the candidate is not obliged to disclose those that are spent. All individuals interviewed for a post in the Council, or employed by the Council on a temporary basis will be required to disclose details of all unspent offences, including those awaiting a verdict, by completing the relevant section of the Council's application form. (The Rehabilitation of Offenders (Exceptions) Order 1975 lists some of the posts where ROA provisions do not apply, due to the nature of those posts – see paragraph 3.2).
- 3.1.2 There is no need to disclose driving offences with the exception of:
- causing death though dangerous driving
  - dangerous driving
  - driving or attempting to drive, or be responsible for a vehicle whilst under the influence of alcohol or drugs or failure to supply a sample for analysis to prove fitness to drive.

3.1.3 The section of the application form that includes details of unspent convictions will be retained on the successful candidate's personal file for a six month period and will then be destroyed. Application forms from unsuccessful candidates will be destroyed six months after the post in question is filled.

## 3.2 Exempt Posts, Disclosures and the DBS

3.2.1 The law does not acknowledge that convictions, cautions and final cautions are spent for posts that have been exempt under the Rehabilitation of Offenders Act 1974. Candidates for these posts are asked to provide details of all offences and cautions, including the dates of when they were spent. These exempt posts are listed in the Rehabilitation of Offenders (Exceptions) Order 1975. The following are examples of the type of posts within Gwynedd Council that are exempt:

- posts within children's homes
- posts where regular duties include caring, training, supervising children or taking full responsibility for them
- posts where regular duties including unsupervised contact with children
- posts where regular duties include supervising or regulating any of the posts listed above
- posts where regular duties include caring, training, supervising or being fully responsible for vulnerable adults. This includes staff in care homes, staff who provide personal care or support in the client's home, social care services or staff in organisations who provide for people with learning difficulties.

**The above list is illustrative only. To receive further advice on exempt posts contact the Human Resources Advisory Service or the DBS.**

3.2.2 The Line Managers of vacant posts will undertake thorough risk assessments of their duties and responsibilities in order to decide whether or not they are exempt and therefore whether or not a satisfactory Disclosure from the DBS is required before confirming the decision. If they decide that the posts are exempt, they will then note the category code for the posts and whether or not a Standard or Enhanced disclosure is required on the application form to Advertise a Post (PEN 1). The Human Resources Advisory Service will confirm this information. **Note: It is an offence to ask for details of spent convictions (through the Disclosure process or by any other means) for posts, apart from those listed in the Rehabilitation of Offenders (Exceptions) Order 1975.**

3.2.3 It should be ensured that those applying for exempt jobs are aware of this through the job advertisement, and invitations to interviews will include a statement to the effect that the successful candidate will require a Disclosure.

3.2.4 The successful candidate will need to complete a Disclosure application form as soon as possible after being offered the post, and will be appointed subject to receiving a satisfactory Disclosure. Wherever practical, the necessary arrangements will be made to supervise the candidate in order to enable them to commence in post prior to the Council receiving the Disclosure. However, the Council will limit the time permitted to receive a satisfactory Disclosure to two months from the employee's commencement date.

3.2.5 Information regarding the Disclosure will not be kept on the candidate's personal file, rather, it will be kept separately with strict control over who may see it. The Disclosures will not be photocopied and will not be retained for longer than six months following the date of the appointment or any another relevant decision, nor following the date of a dispute regarding the accuracy of the information in the Disclosures. Only under

exceptional circumstances will they be kept for longer than six months and the Council will contact the DBS before doing so. When this time comes to an end, the Disclosures will be destroyed using a shredding machine. However, a record will be kept of the date of the Disclosure, the name of the subject, the type of Disclosure, the post for which the Disclosure was required, the reference number of any Disclosure and details of the recruitment decision.

- 3.2.6 A new application for a Disclosure will have to be made every time for every exempt post, apart from some circumstances as permitted by the DBS portability guidance. Further details regarding these circumstances may be obtained from the Human Resources Advisory Service or from the DBS.

### **3.3 Candidates with Convictions**

- 3.3.1 An Appointing Panel is advised not to take any notice of minor offences disclosed on the Disclosure of Offences form, for example those relating to matters of principle and conscience, however, should any difficulties arise, guidance should be sought from the Council's Head of Corporate Support Department and Monitoring Officer. If there is need to discuss the matter further, it will be submitted to the relevant Portfolio Leader and to the Portfolio Leader who is responsible for staffing matters.
- 3.3.2 Appointment decisions will be based on the information provided in the part of the Application Form that involves the Disclosure of Offences and/or the Disclosure will be discussed by the Appointing Panel with the candidate.
- 3.3.3 In cases where the information provided in the Disclosure contradicts the information provided on the Disclosure of Offences form, the Head of Corporate Support Department or their representative will discuss this with the candidate.
- 3.3.4 If a candidate disagrees with the information in the Disclosure, they have the right to appeal to the DBS through its dispute procedure.  
For more information see the [Recruitment of Ex-Offenders Policy](#).

### **3.4 Safety**

- 3.4.1 All documents will be retained in accordance with the principles of the Data Protection Act 1998 and will be stored for the durations noted in the policy.
- 3.4.2 Gwynedd Council is committed to the DBS's Code of Practice for storing and destroying Disclosures and any information deriving from them. The following points will be relevant to information about Disclosures:
- they will not be kept on the individual's personal file, rather, they will be kept separately with strict control over who may see them.
  - photocopies will not be made
  - they will only be available to those who have been authorised to receive them in light of their post in accordance with the Police Act 1997. A record will be kept of those who see the Disclosures or the information deriving from them. Should information be passed on to unauthorised individuals, this will be treated as an offence.
- 3.4.3 In acting as an Umbrella Body for other establishments, the Council will take all reasonable steps to ensure that those establishments comply fully with the DBS's Code of Practice. This includes treating, using, storing and disposing of information regarding Disclosures and we will ask them for a written copy of their policies on employing people with convictions, and, where appropriate, security of information relating to Disclosures.

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## Relevant Legislation

Rehabilitation of Offenders Act 1974  
Rehabilitation of Offenders (Exceptions) Order 1975  
Police Act 1997  
Data Protection Act 1998  
Care Standards Act 2000  
Safeguarding Vulnerable Groups Act 2006  
Protection of Freedoms Act 2012

## REHABILITATION OF CONVICTIONS

TYPE OF CONVICTION	TIME PERIOD
A sentence of imprisonment, detention in a young offender institution, youth custody or corrective training for a term between 6 and 30 months	10 years
A sentence of imprisonment, detention in a young offender institution or youth custody for a term of 6 months or less	7 years
Conditional discharge, tagged	1 year, or when the order ceases (whichever is the longest).
Absolute Discharge	6 months
Probation Order	5 years (if under 18 years old, 2½ years, or when the order ceases (whichever is the longest).
Fine	5 years

(Unless noted otherwise, if an individual is under 18 years old on the date they are convicted, the rehabilitation period is halved)

## DEFINITION OF FREQUENCY, DENSITY AND OVERNIGHT

<b>Frequency</b>	This is defined as once a week or more but within health and personal care services, the frequency is once a month or more
<b>Density</b>	This is defined as four days or more within any single month
<b>Overnight</b>	This is defined as a specific activity undertaken with a vulnerable group between 2am and 6am

## APPENDIX 5: LIST OF DESIGNATED MANAGERS

Department	Designated Managers
Adults, Health and Well-being	Mannon Emyr Trappe (01766 510011) Senior Manager, Safeguarding, Quality Assurance and Mental Health MannonEmyrTrappe@gwynedd.llyw.cymru
Children and Supporting Families	Sharron Williams Carter (01286 679 714) Senior Operational Manager SharronWilliamsCarter@gwynedd.llyw.cymru
Gwynedd Consultancy	Emlyn Jones (01286 679 967) Assistant Head EmlynJones@gwynedd.llyw.cymru
Corporate Support	Mari Powell Jones (01286 679 022) Supprt Services Manager MariPowellJones@gwynedd.llyw.cymru
Economy and Community	Roland Wyn Evans (01286 679 450) Assistant Head - Culture RolandWynEvans@gwynedd.llyw.cymru
Education	Delyth Lloyd Griffiths (07977 504 344) Senior Safeguarding Children Officer DelythGriffiths@gwynedd.llyw.cymru
Finance	Dewi Morgan (01286 682 684) Assistant Head - Revenue and Risk DewiAMorgan@gwynedd.llyw.cymru
Highways and Municipal	Amanda Jane Murray (01286 679 225) Municipal Group Engineer AmandaMurray@gwynedd.llyw.cymru
Corporate Management Team	Sion Huws (01286 679 168) Senior Solicitor (Corporate) SionHuws@gwynedd.llyw.cymru
Environment	Rhian Wyn Williams (01286 679 537) Integrated Transport Manager and Road Safety RhianWynWilliams@gwynedd.llyw.cymru
Housing and Property	Sion Elwyn Hughes (01286 679660 ) Senior Executive Officer Housing and Property SionElwynHughes@gwynedd.llyw.cymru

## APPENDIX 6: GOOD PRACTICE GUIDELINES FOR COUNCILLORS

### "SAFE CONTACT WITH CHILDREN AND VULNERABLE ADULTS"

1. These guidelines are a statement and description of the standards of conduct expected from all members of the Council when having contact with children or vulnerable adults\* in their office as a Councillor.
2. The guidelines are supplementary to, and do not replace, the Members' Code of Conduct. That code remains relevant whenever a member acts in his/her role as elected member, and also at any time in relation to not bringing the office or the Council into disrepute.
3. Some of the requirements of the Code of Conduct are:
  - To show respect to others and be mindful of them
  - To address equal opportunity for everyone, regardless of their gender, race, disability, sexual orientation, age or religion
  - Not to disclose confidential information without consent
  - Not to behave in a manner which would bring your office or the Council into disrepute
  - To report any behaviour likely to be criminal by another member or employee to the appropriate authority
  - Not to use your position inappropriately to cause someone advantage or disadvantage
4. Members may come into contact with children and vulnerable adults through their position on a committee or working group, or through their role as Local Member. They may also come into contact with them when representing the Council on external bodies or taking part in events arranged by the Council. Every member of the Council has a corporate parent responsibility for looked-after children, and every Member also has a responsibility to follow good practice for safeguarding children and vulnerable adults.
5. The aim of these guidelines is to reflect current practice and it is expected that members identify the following standards as those which they aim to reach daily.
6. It is expected that these guidelines give a better understanding to members of the public of what is expected from Councillors when they come into contact with them.
7. Every councillor should give a good example in terms of behaviour to ensure that children and vulnerable adults are protected and safeguarded. The guidelines below give details of examples of good practice that must be used.

#### YOU SHOULD

- Become familiar with the Council's Safeguarding Policies and Guidelines and the current procedures for reporting incidents etc.
- Attend training on safeguarding children and vulnerable adults
- Follow a recognised process for reporting incidents, e.g. an incident of health and safety importance
- Be open to public scrutiny at all times when working with children and young people, and try and avoid situations where you are alone with a child or children or vulnerable adult, with nobody to observe you

- Respect children and adults' right to privacy, equality, respect and dignity and a safe and positive environment
- Place the child or adult's welfare and safety above other considerations
- Create an equal relationship based on trust which empowers children and adults to share in the decision-making process
- Be an excellent example for children and vulnerable adults

## YOU SHOULD NOT

- Touch or allow inappropriate touching in any way, use violence or inappropriate language or make suggestive sexual comments
- Ignore allegations made by a child or vulnerable adult
- Invite or allow children or a vulnerable adult 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 pornography sites
- Spread confidential information concerning individual cases to anyone unless through recognised reporting procedures

\*A vulnerable adult is a person over 18 years of age who cannot look after himself/herself, or protect himself/herself

## **APPENDIX 7: THE REFERRAL PROCEDURE**

### **1. Recognition and Referral**

A suspicion that a child is being abused may be in the form of 'concerns' rather than 'known facts', and concerns can arise in a variety of different contexts, including where the child/adult is already known to the social services.

Concerns can and should be shared with the Social Services by immediately contacting the Children Referrals Team on 01766 772577 or the Adults Service Advice and Assessment Team on 01766 772577.

For any concerns regarding the safety of a child or adult outside usual office hours, after 5.00pm, Monday to Friday and on weekends and Bank Holidays, the Social Services Out-of-Hours Team should be contacted on 01766 772577.

Though concerns may not necessarily trigger an investigation, they help to create a picture, together with concerns from other sources, which could denote that they are suffering from harm.

### **2. Referring Concerns**

2.1. Any Councillor, member of staff, volunteer or a contracted service provider may feel concerned for a child or adult's safety or welfare in many ways. If a child, adult or their representative tells them that an individual is being abused, it is essential that appropriate steps are taken immediately. The person receiving the information should respond in a sensitive manner and:

- Give time for the child or adult to communicate
- Respond calmly and stay calm at all times
- Listen carefully to the child or adult and assure them that they have done the right thing in telling someone, and explain that it is not their fault
- Be honest, and tell the child or adult that you must talk to someone else who can help
- Ask as few questions as possible

2.2. It is important that you don't:

- Display any feelings of anger, repulsion or disbelief to the child or adult, as that could make them stop talking for fear of causing more distress to the individual, or make them feel that the negative feelings are being directed at them
- Interrupt the child or adult or make suggestions
- Ask inquisitive or leading questions
- Guess or make presumptions
- Make negative comments about the alleged abuser
- Approach the alleged abuser
- Make promises or agree to keep secrets

2.3. After you have received the information, you should try to record it as soon as possible. This helps to ensure the accuracy of the information given to you. Try to keep as close as possible to what the person told you directly; the information presented to you rather than your opinion on the situation.

2.4 Any concern that a child or vulnerable adult has been harmed or is at risk of being harmed must be reported to the Social Services as soon as possible. All referrals made over the phone or in person

should be confirmed in writing within two working days, and it is best if the standard referral form seen below is used.

2.5 It is the Social Services and specifically trained officers there who assess and determine whether investigations are held.

2.6 The person making the referral (namely the individual who is concerned about the safety of a child or adult) should provide as much of the following information as possible:

- The nature of the concerns
- How and why those concerns arose
- The full name, address and date of birth (or age) of the child / adult that is a cause of concern
- The names, addresses and dates of birth / ages of family members, together with any other names they use
- The names and relationship of everyone who has parental responsibility / role as a guardian or carer, where they are known, should be recorded
- The name, address and date of birth of any other adults living in the household
- The names of other professionals working with the family, including for example the name of the child's school and GP
- Any information you may have about the child's developmental needs / adults' care needs and the ability of the parents or care providers to respond to these needs in the context of the family and the wider environment
- Any information which may affect staff safety
- In the case of vulnerable adults, the capacity and risks of the individual in question must be considered

2.7 You do not need to know everything about the child / adult that is a cause of concern and what is happening - only that you have concerns or feel that everything isn't as it should be

2.8 Employees, professionals and individual independent contractors should be aware that they cannot remain anonymous when making a referral. However, members of the public may remain anonymous if they so wish.

2.9 The individual employee or professional making the referral may be asked to complete some or all of the following tasks, and they should be ready and willing to do so:

- Contribute to a strategy discussion or strategy meeting
- Assist with child protection enquiries under section 47 / inquiry into an adult under the Protection of Vulnerable Adults arrangements
- Attend the child protection / adult protection conference
- Contribute to the assessments

**But:**

- If you feel that the child or adult is in immediate danger at that time, phone the police
- If you feel that the child or adult has been a victim of a crime, phone the police

## REFERRAL FORM - CHILDREN and FAMILIES

### How to complete this referral form

The purpose of this form is to ensure that, when you make a referral in respect of a child(ren) and family you provide us with as much information as possible to enable us to deal with your referral quickly.

**Please ensure that you complete the form with as much information as possible.** If you do not have information for a particular section please make this clear by stating 'not known'.

[Cyfeiriadauplant@gwynedd.llyw.cymru](mailto:Cyfeiriadauplant@gwynedd.llyw.cymru)

Contact Telephone Number : 01758 704455

Note: This form is available in Welsh and English

Please indicate which local authority area this referral is being made to (tick only one)

CONWY     DENBIGHSHIRE     FLINTSHIRE     GWYNEDD     WREXHAM     YNYS MON

### Date of Referral:

Name of child

Child's Date of Birth

### Reason for Referral

Please indicate the reason for referral (tick **one** of the following options):

<b>Child Protection</b>	<b>Care &amp; Support</b>	<b>Early Help</b>
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If Child Protection has been identified please provide the detail of the risk(s) of abuse, harm or neglect\* to the child

\*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

Is the client aware of the referral?	Yes	No
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**Have any members of the family been exposed to any of the following Adverse Childhood Experiences (ACEs)?**  
(please tick all relevant boxes)

Verbal abuse	Parental separation	Alcohol abuse
Physical abuse	Domestic violence	Drug use
Sexual abuse	Mental illness	Incarceration

**Please record your concern regarding this child/ young person/ family, including the detail of any ACE's identified above**

**Please identify areas of strength and areas of development need under the following three headings:**

**1. Child's/Young Person's Developmental Needs**

Please record positive aspects of the child's/young person's development, as well as areas of concern that you have in this area, including concern about the child's/young person's welfare and/or safety. Please make reference, if you can, to the child's/young person's (a) health; (b) education; (c) emotional and behavioural development; (d) identity; (e) family and social relationships; (f) social presentation; and (g) self-care skills.

**2. Parents'/carers' capacity to respond appropriately to the child's/children's needs**

Please record parents'/carers' strengths as well as any difficulties they are experiencing. Please make reference, if you can, to the effectiveness of the parent to meet the following aspects (a) basic care (b) ensuring safety (c) emotional warmth (d) stimulation (e) guidance and boundaries (f) stability

**3. Family and Environmental Factors which impact on the child and family**

Please give details, if known and relevant, regarding the (a) family history; (b) wider family; (c) housing situation; (d) employment and income; (e) family's social integration; (f) community resources that are available for, or are being used by, the family.

## A - Child's Personal Details

First name		Surname	
Preferred name		Gender	

<b>Date of Birth (or expected date of delivery)</b>			
<b>Ethnicity</b>		<b>Religion</b>	
<b>Home address</b>			
<b>Postcode</b>		<b>Preferred contact number</b>	
<b>Other address(es) (if child/young person not living at home)</b>			
<b>Postcode</b>			
<b>Any other contact numbers</b>			
<b>Email address</b>			
<b>Spoken language of choice</b>		<b>Written language of choice</b>	
<b>Is an interpreter required?</b>			
<b>Preferred method of communication</b>		<b>Accessibility support required for the child (e.g. BSL interpreter)</b>	
<b>Barriers to participation (tick as appropriate)</b>	Understanding information <input type="checkbox"/> Retaining information <input type="checkbox"/> Weighing up information <input type="checkbox"/> Communicating views, wishes and feelings <input type="checkbox"/>		
<b>Name of child's advocate (if identified)</b>		<b>Relationship to the child</b>	
<b>School</b>		<b>Occupation (if not in school or education)</b>	
<b>NHS Number</b>			
<b>GP</b>		<b>Health Visitor/ Midwife/ School Nurse</b>	
<b>If the child is considered to have a disability please provide details.</b>			
<b>Does the child consider themselves a carer?</b>	YES <input type="checkbox"/> NO <input type="checkbox"/>		

### B - Details of Persons in Current Household

Name	Relationship to child/young person	DOB	PR Yes/No	Ethnicity	Preferred Language	Disability

### C - Significant Others – Not in Household

(Please list any significant others who are not listed in the household section above)

Name, Address, Telephone	Relationship to child/young person	DOB	PR Yes/No	Ethnicity	Preferred Language	Disability

If any of those listed in B or C require an interpreter or advocacy support, please state here. If not, state N/A

### Other Agencies Involved

Name	Agency	Role	Contact details (address and telephone number)	Period of involvement

### Details Of Referrer

Referred by (role and agency)			
Address		Telephone	
Email address			

What is your involvement with the family, child or young person (please include how long you have known them and in what capacity, and what work you have already been doing to support them (such as advice or assistance), interventions tried and/or assessments completed) (Please ensure you attach with this referral any relevant assessment already made and supporting documents)?

Signature:		Date:	
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## Views of the Child/ Young Person and Family

(to be identified through a What Matters Conversation that identifies what is important to them, the outcomes they wish to achieve, the strengths and assets they can draw on. This is captured in their words and may differ from the referrer's analysis)

### What matters to the child

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### What matters to the child's parent(s)/carer(s)

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### Strengths and capabilities of the child/ parent(s)/ carer(s) to achieve what matters to them

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### Barriers that prevent the child, parent(s)/ carer(s) achieving what matters to them

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### Risks to the child if the child, parent(s)/ carer(s) don't achieve what matters to them

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## Consent for Referral

Consent needs to be obtained for a referral to be made from the parent(s)/ person(s) with parental responsibility and/or the young person if aged 13 years and over. This consent includes information being shared and/or referrals to external agencies being made. Consent is not required in the following circumstances:

- Alleged or proven criminal activity and it is necessary to share information to prevent crime and disorder. This includes wherever there are concerns related to domestic abuse and use of banned substances/drugs.
- A child protection concern (as defined in the All Wales Child Protection Procedures 2008)

### Parental consent

<b>Name of parent(s) / person(s) with parental responsibility:</b>	<b>Name of parent(s) / person(s) with parental responsibility:</b>
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Have they given their consent to the referral being made to Children and Family Services/ Early Help Services?	YES <input type="checkbox"/> NO <input type="checkbox"/>	Have they given their consent to the referral being made to Children and Family Services/ Early Help Services?	YES <input type="checkbox"/> NO <input type="checkbox"/>
If consent has not been given please provide the reasons below		If consent has not been given please provide the reasons below	

**Child/ young person's consent**

Has the child / young person consented to the referral being made to Children and Family Services/ Early Help Services?	YES <input type="checkbox"/> NO <input type="checkbox"/>	If 'No' state reason	
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**Privacy Notice**

Your data will be processed by Gwynedd Council for the specific purposes of children requiring Early Help, Care and Support or Child Protection concerns or any alleged or proven criminal activity. The processing of your personal data is undertaken as a 'public task' which is a requirement of the local authority to promote the wellbeing of all individuals under the Social Services and Wellbeing Act (Wales) Act 2014 and to promote the welfare and safety of children under the Children Act 1989 and the All Wales Child Protection Procedures 2008.

Gwynedd Council may share your data with other local authorities, NHS, Police, Children and Family Services/ Early Help Services if this is necessary to carry out its duties to promote wellbeing and welfare. This may involve transferring your data outside the European Economic Area (EEA) if you have resided in any country outside the EEA

Gwynedd Council will retain your information for 100 years in line with our retention schedule. If you feel Gwynedd Council have mishandled your personal data at any time you can make a complaint to the Information Commissioners Office by visiting their website or calling their helpline on 03031231113.

For further information about how Gwynedd Council processes personal data and your rights please see our privacy notice on our website or request a copy from the Council.

## APPENDIX 8: DEALING WITH ALLEGATIONS OF PROFESSIONAL ABUSE

1. This appendix is relevant to any member of staff employed by the Council, elected members, volunteers, contractors and sub-contractors or other establishments that are funded by or on behalf of the Council.
2. If it is alleged that a member of staff in any situation has abused a child or an adult, action should be taken in accordance with Section 5 of the Wales Safeguarding Procedures 2020. This could include an allegation of a specific act or concern about behaviour that could indicate abuse. You should initially seek advice from your Designated Manager, and if there is basis to your concerns, the matter should be referred immediately to the relevant Social Services Department. In the absence of your Designated Manager you can also contact the relevant Social Services Department directly to seek assistance and guidance on the issue. Examples of allegations could include (but are not limited to) situations where a person working with children or adults has:
  - behaved in a way that has harmed or may have harmed a child or adult
  - may have committed a criminal offence against, or associated with a child or adult
  - behaved towards a child, children or adult in a way that indicates that they are unsuitable to work with children or adults
  - the allegations or concerns can derive from their work or personal life
3. In the first place, and immediately, the Designated Manager who receives the information should refer the concern to the attention of the relevant Children or Adults Department, in accordance with the contact information noted below:
  - Safeguarding Children [cyfeiriadauplant@gwynedd.llyw.cymru](mailto:cyfeiriadauplant@gwynedd.llyw.cymru)
  - Safeguarding Adults [diogeluoedolion@gwynedd.llyw.cymru](mailto:diogeluoedolion@gwynedd.llyw.cymru)

The referral will be submitted in writing on the standard Referral Form that has been included in this Policy. In an emergency, initial contact can be made by telephone, but any referral must be submitted in writing as soon as possible, and at least within 48 hours of a verbal referral. Your referral will be given attention within one working day, in accordance with the Wales Safeguarding Procedures.

4. Following the submission of a referral and subject to the advice that received, the employer should complete an individual risk assessment in order to consider suspending or dismissing an individual from work following an allegation of professional abuse. In accordance with Gwynedd Council policy (adopted by the Children and Adults Strategic Safeguarding Panel), suspension should be considered where one or more of the following are present:
  - when a child or children are at risk of suffering significant harm
  - when the allegation warrants a police investigation
  - when the allegation is so serious that dismissal or a finding of gross misconduct is a possibility
  - when the individual's presence at work can interfere with the investigation
  - when suspension from work is in the interests of the individual him/herself.
5. Consideration should be given to whether there are any professional codes of conduct the alleged abuser should adhere to. If appropriate, a referral will be made to the Professional Regulatory Body. In such cases, advice should always be sought from Human Resources staff.
6. If there are grounds to an allegation of abuse made against the Council's staff, the Council's Complaints Procedure and/or Disciplinary Procedure will be followed, and the appropriate steps taken. No corporate investigation or disciplinary processes will take place until Social Services and Police statutory and criminal processes have been completed. Allegations against volunteers will be investigated similarly, but the Council's Disciplinary Procedure will not apply. It is expected

that any contractors or sub-contractors or establishments funded by or on behalf of the Council will act in the same manner within their own operational guidelines which should be consistent with the expectations of the Wales Safeguarding Procedures. The contracts with the services commissioned by the Council should comply with safeguarding expectations, and those expectations should be clearly identified within the contract.

7. The Designated Manager within the Service should ensure that appropriate levels of support are available for staff where allegations have been made against them. Usually they will be supported by a representative of a professional body or trade union. Managers will need to ensure that there is a nominated individual for contacting the member of staff regularly to ensure that he/she understands the procedures.

## **APPENDIX 9: SAFEGUARDING CHILDREN AND ADULTS STRATEGIC PANEL TERMS OF REFERENCE**

### **1. INTRODUCTION**

- 1.1 The Statutory Director has specific responsibilities in the safeguarding field. The Director's Protocol is also in place and sets out how the Director meets the requirements of the role. These matters relate to the safeguarding requirements set out in paragraphs 64-69 in Part 8 of the Social Services and Well-being (Wales) Act 2014. Paragraph 65 highlights the need for the Director to have an overview of safeguarding matters but also the need to regularly report to Members on the arrangements for safeguarding children, young people and vulnerable adults within the authority and how these arrangements work, and what needs to be improved.
- 1.2 There is also a need for every agency to establish internal arrangements to ensure that the counter terrorism, anti radicalisation and community safety matters agenda receives the appropriate attention.
- 1.3 For the purpose of this Panel, the term 'safeguarding' is relevant to adults, children and young people and means to protect them, prevent them from being abused or neglected and educate those around them to recognise the signs and risks. Safeguarding and promoting individuals' well-being, has a wider meaning than protecting individuals against abuse. It involves individuals and services identifying the risk factors and taking steps to prevent vulnerable individuals from being abused. Protection is part of the work of safeguarding and promoting well-being. It refers to activities to protect children, young people and adults who are suffering or at risk of significant harm as a result of abuse or neglect.

### **2. TERMS OF REFERENCE OF THE STRATEGIC SAFEGUARDING PANEL**

- 2.1 The aim of the Panel is to give assurance to Members and the Statutory Director of Social Services, as the Senior Officer within the Council who has the full final accountability for safeguarding children, young people and vulnerable adults, that appropriate arrangements and procedures are in place on a corporate level to ensure the safeguarding of children, young people and adults. The Panel will satisfy three statutory duties, which are general corporate responsibility to safeguard, statutory duties of Social Services and the community safeguarding duties.
- Identify any gaps in relation to safeguarding on a corporate level and approve work programmes in order to respond to these
  - Identify lessons to be learnt, on a corporate level, from serious case reviews and from other relevant reviews and ensure their implementation. (APR, CPR)
  - Identify lessons to be learnt from external audits and ensure their implementation
  - Identify lessons to be learnt from internal audits and ensure their implementation
  - Notify the relevant lead members of matters/key developments in the field of safeguarding children, young people and vulnerable adults
  - Act as a means to raise the awareness of every Council staff member and every Elected Member of their safeguarding responsibilities.
  - Act as a means to ensure that staff members and Elected Members receive timely appropriate training and monitor the attendance of this training.

- Ensure an interdepartmental working relationship and effective communication in the Council within the safeguarding field
- Ensure that the Council's arrangements coincide with the legal requirement to ensure that staff are eligible to work in the regulated posts
- Call for relevant projects to report on progress
- Receive performance management information - cross departmental
- Ensure an overview of broader Safeguarding matters including counter-terrorism, modern slavery, domestic abuse and community safety procedures

### **3. CHAIRMANSHIP**

3.1 The Cabinet Member for Children and Young People will Chair the Panel.

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

4.1 The meetings will be held every eight to ten weeks

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

5.1 The Strategic Safeguarding Panel is accountable to the Cabinet.

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 the Corporate Director.

### **6 MEMBERSHIP**

<b>Title</b>
Cabinet Member for Children and Young People
Cabinet Member for Adults, Health and Well-being (also responsible for Community Safety)
Cabinet Member for Education
Chief Executive
Corporate Director (Statutory Director) for Social Services
Head of Children and Young People
Head of Adults, Health and Well-being Department (also responsible for Community Safety)
Head of Education
Head of Corporate Support Department
Chair of the Operational Safeguarding Group
Head of Legal Services

## APPENDIX 10: MEASURING IMPACT AND MONITORING

1. Strategic Safeguarding Panel will measure the impact, monitor and review the Safeguarding Policy and Procedures.
2. The Strategic Safeguarding Panel will measure the impact of the Safeguarding Policy and Procedures against the following Performance Measures:

- # safeguarding referrals completed in the period
- # child protection referrals in the period
- % of staff who work in a regulated activity involving children, young people and/or vulnerable adults who have received a DBS within 2 months of being offered the post
- % of staff who work in a regulated activity involving children, young people and/or vulnerable adults who have received a reference within 2 months of being offered the post
- % of staff who work in a regulated activity who have had their DBS renewed after three years
- # of staff who have received training appropriate to their jobs in the Safeguarding field
- % of all Councillors who have received Safeguarding Training.
- % Departments with designated managers
- % of the adult protection referrals completed during the year, the percentage where the danger has been controlled
- % of risk assessments submitted to a Case Conference which were considered as exhibiting quality in decision-making

3. The Strategic Panel will report on the performance of these measures as part of the Annual Safeguarding Report
4. The Operational Panel will put arrangements in place to gather evidence to measure the impact of implementing the Policy and will report on them to the Strategic Panel.
5. The Operational Panel will also commission an Annual Audit of Awareness of the Safeguarding Policy.
6. The Operational Panel commission other audits as and when necessary.
7. The Operational Panel will monitor the delivery of safeguarding training across Council Departments.
8. The Operational Panel will monitor the delivery of the Statements Procedure across Council Departments.