

MBC Policy for Safeguarding Children & Adults at Risk

Final Decision-Maker	Council
Lead Head of Service	John Littlemore, Head of Housing and Community Services
Lead Officer and Report Author	Matt Roberts, Community Partnerships & Resilience Manager
Classification	Public
Wards affected	All

Executive Summary

At its meeting on 12 February 2019, the Communities, Housing and Environment Committee considered and adopted a renewed Policy for Safeguarding Children and Adults at Risk. Along with this policy, the Committee suggested some amendments to the Constitution to clarify the roles and responsibilities of the Head of Housing and Community Services, as well as designating the Chairman of the Communities, Housing and Environment Committee as the Member Safeguarding Champion.

This report makes the following recommendations to Council: That

1. The Constitution be amended to automatically appoint the Chairman of the Communities, Housing and Environment Committee to the role of Member Safeguarding Champion, as outlined in Appendix 1.
2. The Constitution be amended to include specific reference to responsibility for Safeguarding within the delegations to the Head of Housing and Community Services, as outlined in Appendix 2.

Timetable

Meeting	Date
Communities, Housing & Environment	12 February 2019
Council	27 February 2019

MBC Policy for Safeguarding Children & Adults at Risk

1. INTRODUCTION AND BACKGROUND

1.1 On the 12th February 2019 the Communities, Housing and Environment Committee approved a draft version of the revised MBC Safeguarding Policy for consultation. In addition to this, the issue of Member Safeguarding Champion was debated, and recommendations were made to Council to establish a process for appointing a Councillor to this role. Furthermore, it was resolved that Council be recommended to explicitly include reference to safeguarding in the role of the Head of Housing and Community Services.

2. Member Champion for Safeguarding

2.1 The role of Member Safeguarding Champion was defined as to act as a champion for the organisation and to promote awareness of safeguarding practices amongst fellow elected members.

2.2 Cllr Shellina Prendergast was chosen to be the previous Member Safeguarding Champion due to her position as an elected member for Kent County Council, and Deputy Cabinet Member for Children, Young People and Education. However the role has been vacant since Cllr Prendergast resigned as a Maidstone Borough Councillor.

2.3 The role of Member Safeguarding Champion is critical to ensuring members are aware of their safeguarding responsibilities. To ensure that the function of Member Safeguarding Champion does not become vacant for any length of time in future it is proposed that the Chairman of the Communities, Housing and Environment Committee takes on the function as Champion.

2.4 Recognising that the Chairman of the Communities, Housing and Environment Committee holds a number of responsibilities, it is proposed that the Chairman has the ability to delegate this responsibility to another Member if the Chairman sees fit.

2.5 If the Committee agrees to adopt this proposal to fill the Member Champion role, full Council must make the final decision and appropriate appointment. The necessary adjustments to the Constitution will be made and will be appended to the Council report as tracked changes. It is also recommended that specific reference is made to the responsibility for Safeguarding within the delegations to the Head of Housing and Community Services, as currently this is implied but not specifically stated.

Head of Housing and Community Services

2.6 To ensure that safeguarding was treated seriously, and to ensure clarity in roles and responsibilities, the Committee also proposed to ensure that the Constitution makes reference to the Head of Housing and Community Services' responsibility for safeguarding. Therefore a proposed addition to the Head of Housing and Community Services' responsibilities is proposed in the Constitution under the Responsibility for Functions relating to Officers.

3. AVAILABLE OPTIONS

- 3.1 Option one: Do nothing. This is not recommended as the issues of appointing a Member Safeguarding Champion and clarifying the role of the Head of Housing and Community Services would remain unresolved.
- 3.2 Option two: Agree amendments to the Constitution, as recommended by the Communities, Housing and Environment Committee.
- 3.3 Option three: Agree different amendments to the Constitution to achieve the same end result.

4. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS

- 4.1 Option two is recommended. This would ensure that a clear process for appointing a Councillor to the role of Member Safeguarding Champion is established. Furthermore, it would ensure for clarity regarding the role of the Head of Housing and Community Services.

5. RISK

- 5.1 The risks associated with this proposal, including the risks if the Council does not act as recommended, have been considered in line with the Council's Risk Management Framework. That consideration is shown in this report. We are satisfied that the risks associated are within the Council's risk appetite and will be managed as per the Policy.

6. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION

- 6.1 Once amendments to the Constitution are agreed the changes will be made and published by the Democratic Services Team.

7. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
Impact on Corporate Priorities	This policy will contribute towards the corporate priorities by ensuring that all staff, contractors and elected Members understand the Council's Safeguarding obligations, children and	Head of Housing & Communities

	vulnerable adults who are at risk harm can be referred to the appropriate agencies.	
Risk Management	The adopted policy will contribute to reducing the risk of the Council failing to achieve the standard of safeguarding required.	Communities Partnerships & Resilience Manager
Financial	There are no specific financial implications arising from the recommendations in this report.	S 151 Officer and Finance Team
Staffing	Contained within the report	Communities Partnerships & Resilience Manager
Legal	The Policy covers a number of areas of legislation and responsibility for the Council. These include the Care Act 2014, which covers responsibilities on local authorities for safeguarding adults and the Children Act 2004 as amended by the Children and Social Work Act 2017, which impose duties on councils and agencies to work together to promote the welfare and safeguarding of children in their area.	Principal Solicitor (Contentious and Corporate Governance).
Privacy and Data Protection	N/A	Communities Partnerships & Resilience Manager
Equalities	The additions to the Policy as detailed in the report, for example, Clare’s Law, are likely to have a positive impact on groups with protected characteristics, However, it is important that the EqIA is revisited to ensure that the implementation of the policy changes fully considers the needs of those affected and	Equalities and Corporate Policy Officer

	most vulnerable in its processes, with appropriate practices put in place	
Public Health	We recognise that the recommendations will have a positive impact on population health or that of individuals.	Senior Public Health Officer
Crime and Disorder	The policy supports the priorities identified by the Safer Maidstone Partnership, particularly gangs and child sexual exploitation.	Communities Partnerships & Resilience Manager
Procurement	N/A	Communities Partnerships & Resilience Manager

8. REPORT APPENDICES

The following documents are to be published with this report and form part of the report:

- Appendix 1: Constitutional Changes – CHE Terms of Reference
- Appendix 2: Constitutional Changes – Head of Housing and Community Services Delegated Authority