



Birmingham City Council

Report to Cabinet

13th December 2022

Subject: CORPORATE SAFEGUARDING POLICY

Report of: Sue Harrison, Director of Children's Services

Relevant Cabinet Members: Cllr Mariam Khan - Adult Social Care and Health

Relevant O & S Chair(s): Cllr Mick Brown - Health and Social Care

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Are specific wards affected?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No – All wards affected
If yes, name(s) of ward(s):		
Is this a key decision?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, add Forward Plan Reference: 010735/2022		
Is the decision eligible for call-in?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Does the report contain confidential or exempt information?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If relevant, state which appendix is exempt, and provide exempt information paragraph number or reason if confidential:		

1 Executive Summary

- 1.1 This report provides a Corporate Safeguarding Policy for consideration and approval by Cabinet.

- 1.2 This report also sets out the Council's statutory responsibilities for safeguarding children and the arrangements the Council has put into place to support the implementation of refreshed Corporate Safeguarding arrangements.

2 Recommendations:

- 2.1 That Cabinet:
- 2.1.1 Approves and adopts the Corporate Safeguarding Policy 2022, which will be implemented with immediate effect.
 - 2.1.2 Approves the proposal to ensure the Corporate Safeguarding Policy is reviewed on an annual basis (or sooner in the event of changes to local or national policy) as part of the work programme of the Corporate Safeguarding Network.
 - 2.1.3 Notes the work that has already taken place and planned to support the implementation of refreshed arrangements.

3 Background

- 3.1 Section 11 of the Children Act 2004 places duties on local authorities to ensure their functions, including any services that they contract out to others, are discharged having regard to the need to safeguard and promote the welfare of children (refer to 4.3 for '*Responsibilities of individuals*').
- 3.2 Statutory Guidance 'Working Together to Safeguard Children' (2018) sets out the arrangements that should be in place in organisations that reflect the importance of safeguarding and promoting the welfare of children. As set out in the first sentence of the statutory guidance: *"Nothing is more important than children's welfare. Children who need help and protection deserve high quality and effective support as soon as a need is identified"*.
- 3.3 Chapter 2 of the Statutory Guidance 'Working Together to Safeguard Children' (2018) details the common features which must be demonstrated by agencies in order to fulfil their commitment to safeguard children and promote the welfare of children. It also sets out the arrangements that should be in place in the Council that reflect the importance of safeguarding and promoting the welfare of children including:
- a clear line of accountability for the commissioning and/or provision of services designed to safeguard and promote the welfare of children
 - a senior board level lead with the required knowledge, skills and expertise or sufficiently qualified and experienced to take leadership responsibility for the organisation's/agency's safeguarding arrangements
 - a culture of listening to children and taking account of their wishes and feelings, both in individual decisions and the development of services

- clear whistleblowing procedures, which reflect the principles in Sir Robert Francis' Freedom to Speak Up Review and are suitably referenced in staff training and codes of conduct, and a culture that enables issues about safeguarding and promoting the welfare of children to be addressed
- clear escalation policies for staff to follow when their child safeguarding concerns are not being addressed within their organisation or by other agencies
- arrangements which set out clearly the processes for sharing information, with other practitioners and with safeguarding partners
- a designated practitioner (or, for health commissioning and health provider organisations/agencies, designated and named practitioners) for child safeguarding. Their role is to support other practitioners in their organisations and agencies to recognise the needs of children, including protection from possible abuse or neglect. Designated practitioner roles should always be explicitly defined in job descriptions. Practitioners should be given sufficient time, funding, supervision and support to fulfil their child welfare and safeguarding responsibilities effectively
- safe recruitment practices and ongoing safe working practices for individuals whom the organisation or agency permit to work regularly with children, including policies on when to obtain a criminal record check
- appropriate supervision and support for staff, including undertaking safeguarding training
- creating a culture of safety, equality and protection within the services they provide

In addition:

- employers are responsible for ensuring that their staff are competent to carry out their responsibilities for safeguarding and promoting the welfare of children and creating an environment where staff feel able to raise concerns and feel supported in their safeguarding role
- staff should be given a mandatory induction, which includes familiarisation with child protection responsibilities and the procedures to be followed if anyone has any concerns about a child's safety or welfare
- all practitioners should have regular reviews of their own practice to ensure they have knowledge, skills and expertise that improve over time

3.4 As part of the commitment to ensuring that robust arrangements are in place across all aspects of the organisation, a new Corporate Safeguarding Policy has been developed, in line with statutory requirements.

4 Corporate Safeguarding Policy

- 4.1 The Corporate Safeguarding Policy (Appendix one) has been developed to provide guidance for all Birmingham City Council staff, Elected Members, volunteers and individuals, consultants and agencies contracted (and sub-contracted) by Birmingham City Council who may come across concerns regarding the safeguarding and protection of children, young people and adults within the context of their work.
- 4.2 The Corporate Safeguarding Policy sets out the legal framework and wider safeguarding context that the City Council should operate within for example Birmingham Safeguarding Children Partnership Procedures and Practice Standards, West Midlands Child Protection and Safeguarding Procedures and Birmingham Adult Safeguarding policies and procedures.
- 4.3 ***Responsibilities of individuals***
- 4.3.1 Every Councillor, every member of staff, every volunteer and every contracted service provider, has a responsibility to adhere to the procedures and guidance set out in this policy.
- 4.3.2 Each department needs to be aware of how their staff interact with children and with adults at risk, providing appropriate training on safe working practices and on creating safe environments. Staff should be alert to any indications that a child or adult at risk may need to be safeguarded from harm and know who to contact if they have concerns.
- 4.3.3 This means that every service within the Council has a key role to play and has to take full ownership of their safeguarding responsibilities.
- 4.3.4 The Council has already established a Corporate Safeguarding Network, chaired by the Director of Children's Services, as the designated person with overall responsibility for safeguarding of children and young people at Birmingham City Council. All Directorates have nominated representatives to participate in the work of the Network.
- 4.4 The Corporate Safeguarding Network has been identified as the key group to lead the work of implementing and embedding the Corporate Safeguarding Policy, reporting progress to the Corporate Leadership Team.
- 4.5 A Quality and Performance Framework will be established to enable the Network and senior leaders to monitor related performance, for example, take up of mandatory safeguarding training and compliance with DBS policies.
- 4.6 It will be important to ensure that the Corporate Safeguarding Policy remains up to date, reflecting local and national policy and statutory guidance. On that basis it is proposed the Corporate Safeguarding Policy is reviewed on an annual basis (or sooner in the event of changes to local or national policy) as part of the work programme of the Corporate Safeguarding Network.

- 4.7 Ensuring the new Corporate Safeguarding Policy is fully embedded across the Council will be one of a range of activities the Council will be undertaking to ensure children are firmly at the heart of Birmingham through the Year of Change 2023.

5 Risks

- 5.1 Local Authorities have a vital role in the safeguarding and protection of children and adults at risk of harm or abuse. The lack of corporate safeguarding policy and procedures, including the robust implementation of these across the workforce could result in the council failing to fulfil its statutory duties towards children and young people.
- 5.2 Ultimately, without the Corporate Safeguarding Policy and its robust implementation and embedding across the workforce, there is a risk that opportunities to safeguard children, young people and vulnerable adults may be missed.

6 Consultation

- 6.1 An initial high-level review of the draft Corporate Safeguarding Policy was carried out by Legal Services (Education and Adults) and Internal Audit prior to being shared with the Children and Families Senior Leadership Team on 20 May 2022 to formulate a corporate approach towards the policy and pending significant input and amendment from other areas of the Council. A copy of the draft policy was sent to each Directorate in preparation for it to be discussed at the Council Leadership Team meeting 6 June 2022 who approved it in principle subject to final amendments.
- 6.2 The Corporate Safeguarding Policy has been further developed in consultation with members of the Corporate Safeguarding Network, officers across the Council and Birmingham Children's Trust, including heads of safeguarding in children's and adult social care, legal services, human resources, finance, communications, procurement, commissioning, performance, and policy.
- 6.3 The Cabinet Member for Children, Young People and Families and Cabinet Member for Social Justice, Community Safety and Equalities have also been consulted.

7. Compliance Issues

7.1 How are the recommended decisions consistent with the City Council's priorities, plans and strategies?

- 7.1.1 The Corporate Safeguarding Policy is a key policy document that will contribute to the Council's outcome of A Bold Safe Birmingham, in particular the priority: Protect and Safeguard Vulnerable Citizens.

7.2 Legal Implications

- 7.2.1 Birmingham City Council's local authority functions mean that it has an overarching responsibility for safeguarding and promoting the welfare of all children and young people in its area. The law requiring this is set out under the 1989 and 2004 Children Acts, the Education Act 2002 and government guidance including the statutory guidance Working Together to Safeguard Children (July 2018).
- 7.2.2 For adults at risk the Care Act 2014 as well as the Mental Capacity Act 2005 sets out a clear legal framework for how local authorities and other parts of the health and care system should protect adults at risk of abuse or neglect. It includes a duty for Birmingham City Council to make enquiries, or request others to make them, when we think an adult with care and support needs may be at risk of abuse or neglect and they need to find out what action may be needed.

7.3 Financial Implications

- 7.3.1 There are no direct financial implications arising from this report.

7.4 Procurement Implications

- 7.4.1 The Corporate Safeguarding Policy provides guidance for all Birmingham City Council staff, Elected Members, volunteers and individuals, consultants and **agencies contracted (and sub-contracted) by Birmingham City Council** who may come across concerns regarding the safeguarding and protection of children, young people and adults within the context of their work.

7.5 Human Resources Implications

- 7.5.1 The Corporate Safeguarding Policy sets out the Council's responsibilities regarding safer recruitment, training for staff and responsibilities. Through implementation of the policy, safeguarding training, recruitment practice and relevant job descriptions will be reviewed in line with the policy and compliant with Section 11, Children Act 2004, which sets out the arrangements for safeguarding and promoting the welfare of children and applies to all key local bodies named under section 11(1) of the Act. One of the key features of these arrangements is ensuring safer recruitment procedures are in place and managers are aware of them and comply.
- 7.5.2 Birmingham City Council corporate safeguarding training will become mandatory for all Directorates from 2023 with a refresher required every 2 years.

7.6 Public Sector Equality Duty

- 7.6.1 The recommendations in this report will support the Council to fulfil its obligations under the Equality Act. We will have regard to the public sector

equality duty at all stages of the programme set up, mobilisation and delivery. An Equality and Impact Assessment has been undertaken in the development of this report (**Appendix 2**).

8. Appendices

8.1 Appendix 1 - Corporate Safeguarding Policy 2022.

8.2 Appendix 2 – Equality and Impact Assessment

9. Background Documents

[Children Act 1989](#)

[Education Act 2002](#)

[Children Act 2004](#)

[Mental Capacity Act 2005](#)

[Care Act 2014](#)

[Statutory Guidance: Working Together to Safeguard Children 2018](#)