Dear Sir or Madam

You are hereby summoned to attend a meeting of the Healthy, Safe, Clean and Green Communities Scrutiny Committee of the Bolsover District Council to be held in the Council Chamber, The Arc, Clowne on **Tuesday 19th April 2016 at 1000 hours**.

**Register of Members' Interest** - Members are reminded that a Member must within 28 days of becoming aware of any changes to their Disclosable Pecuniary Interests provide written notification to the Authority's Monitoring Officer.

You will find the contents of the agenda itemised on page 2.

Yours faithfully

[Signature]

Assistant Director of Governance and Monitoring Officer

To: Chairman and Members of the Healthy, Safe, Clean and Green Communities Scrutiny Committee

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**ACCESS FOR ALL**

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📞 01246 242529  Democratic Services
Minicom: 01246 242450  Fax: 01246 242423
HEALTHY, SAFE, CLEAN AND GREEN COMMUNITIES SCRUTINY
COMMITTEE AGENDA

**Tuesday 19th April 2016 at 1000 hours in the Council Chamber,**
The Arc, Clowne

<table>
<thead>
<tr>
<th>Item No.</th>
<th>PART A – FORMAL</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>PART 1 OPEN ITEMS</td>
</tr>
</tbody>
</table>

1. **Apologies for Absence**

2. **Urgent Items of Business**

To note any urgent items of business which the Chairman has consented to being considered under the provisions of Section 100(B) 4(b) of the Local Government Act 1972

3. **Declarations of Interest**

Members should declare the existence and nature of any Disclosable Pecuniary Interest and Non Statutory Interest as defined by the Members’ Code of Conduct in respect of:

a) any business on the agenda  
b) any urgent additional items to be considered  
c) any matters arising out of those items

and if appropriate, withdraw from the meeting at the relevant time.

4. Minutes of a meeting held on 15th March 2016. 3 to 6

5. List of Key Decisions & Items to be Considered in Private. 7 to 11

*(NB: Members should contact the officer whose name appears on the List of Key Decisions for any further information).*

6. Annual Review of the Community Safety Partnership 12 to 13

7. Safeguarding Adults Policy 14 to 52

Minutes of a meeting of the Healthy, Safe, Clean and Green Communities Scrutiny Committee held in Chamber Suites 1 and 2, The Arc, Clowne on Tuesday 15th March 2016 at 1000 hours.

PRESENT:-

Members:-

Councillor S. Peake in the Chair

Councillors J.E. Bennett, G. Buxton, H.J. Gilmour, C.R. Moesby, T. Munro, K.F. Walker and D. Watson

Officers:-

S. Gillott (Environmental Health Manager) (Minute No. 0859 to 0860), C. Barnes (Exercise and Fitness Referral Officer) (until Minute No. 0859), C. Millington (Scrutiny Officer) and A. Brownsword (Governance Officer)

0854. APOLOGY

An apology for absence was received from Councillor P.A. Cooper.

0855. URGENT ITEMS OF BUSINESS

The Chair consented to the following item being heard following Agenda Item No. 6, due to the tight timescale involved.

Joint Fly Tipping Policy

0856. DECLARATIONS OF INTEREST

There were no declarations of interest.

0857. MINUTES – 16TH FEBRUARY 2016

Moved by Councillor H.J. Gilmour and seconded by Councillor C.R. Moesby

RESOLVED that the minutes of a meeting of the Healthy, Safe, Clean and Green Communities Scrutiny Committee held on 16th February 2016 be approved as a true and correct record.
Members considered the List of Key Decisions and Items to be Considered in Private document.

Moved by Councillor H.J. Gilmour and seconded by Councillor C.R. Moesby
RESOLVED that the List of Key Decisions and Items to be Considered in Private document be noted.

The Exercise and Fitness Referral Officer gave a presentation to the Committee which detailed the work of the Five 60 programme. The programme was designed for Year 3 children to be delivered over 12 weeks in curriculum time and had been formulated with funding received from the Neighbourhood Renewal Fund. The programme was delivered in every school in the District.

The programme concentrated on giving children the opportunity to encourage and help children acquire the knowledge, skills and motivation necessary for them to adopt a long, active and healthy lifestyle. The programme focussed on motor skills, balance, hand eye coordination and healthy eating. Children were also given a bag containing a t-shirt, water bottle and pedometer.

The programme contained sessions including circuit training, dodgeball, fundamentals (concentrating on motor skills – agility, balance and coordination), gymnastics fundamentals, Boccia, Tri-Golf, orienteering and healthy eating. Each child also receives three free family activity vouchers for achieving set goals within the programme and with teachers help, these goals were tailored to each child. A decision had been made to avoid mainstream sport as these were well covered by schools.

As well as the programme, there was also the Five 60 Club which offered enhanced support to children and their parents. Referrals to the Wellness Programme were also available for parents through the programme. The programme also aimed to encourage family involvement through offering Five 60 Health 4 Life Family Exercise Vouchers.

Each school also received a Junior Gym Week which enabled children to attend from 8am to take part in a physical activity session delivered by qualified staff using special childrens gym equipment.
It was hoped that Derbyshire County Council would continue to commission the programme and that it could be rolled out countywide.

Members commended the programme and the involvement of children from all schools. It was felt that the programme was excellent.

Moved by Councillor S. Peake and seconded by Councillor C.R. Moesby
RESOLVED that the report be noted.

The Exercise and Fitness Referral Officer left the meeting.

The Environmental Health Manager entered the meeting.

0860. URGENT ITEM OF BUSINESS - JOINT FLY TIPPING POLICY

The Environmental Health Manager presented the report which gave Committee an opportunity to comment on the proposed new Joint Fly Tipping Policy. It was noted that the policy had been developed from the Bolsover District policy. It had also been formulated with input from Streetscene and had been through the Patch Management Group.

The new policy had been developed to include the new Corporate Aims and legislation and included indicative costs of waste removal. It was noted that fly tipping was a national problem and not exclusive to Bolsover District.

A question was asked regarding fly tipping on private land and it was noted that investigations were carried out and the landowner asked to remove the waste and secure the site. If there was no compliance Notices could be served which required the work and as a last resort the Council could clear the land and charge the landowner for works in default.

Moved by Councillor S. Peake and seconded by Councillor C.R. Moesby
RESOLVED that the policy be noted and any comments be forwarded to the Environmental Health Manager by the end of March 2016.

The Environmental Health Manager left the meeting.
0861. PREPARATION FOR THE ANNUAL REVIEW OF THE COMMUNITY SAFETY PARTNERSHIP

The Scrutiny Officer noted that questions had been formulated in order to get the best out of the review. This would enable the Community Safety Officer to prepare for the review. Members were asked if there were any further questions they would like to raise. It was noted that further questions could be asked on the day.

A discussion took place regarding civil enforcement and whether this should be included within the review or put forward as a subject for review next year.

Moved by Councillor S. Peake and seconded by Councillor C.R. Moesby RESOLVED that the questions be approved and forwarded to the Community Safety Officer.

0862. WORK PLAN

The Healthy, Safe, Clean and Green Communities Scrutiny Committee Work Plan was circulated for Members information.

Moved by Councillor C.R. Moesby and seconded by Councillor H.J. Gilmour RESOLVED that the work plan be noted.

The meeting concluded at 1135 hours.
Key Decisions & Items to be Considered in Private

To be made under the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012

Published on: 27 March 2016
INTRODUCTION

The list attached sets out decisions that are termed as “Key Decisions” at least 28 calendar days before they are due to be taken by the Executive or an officer under delegated powers.

Preparation of the list helps Executive to programme its work. The purpose of the list is to give notice and provide an opportunity for consultation on the issues to be discussed. The list is updated each month with the period of the list being rolled forward by one month and republished. The list is available for public inspection at the The Arc, High Street, Clowne, S43 4JY. Copies of the list can be obtained from Sarah Sternberg, Assistant Director – Governance & Monitoring Officer at this address or by email to sarah.sternberg@bolsover.gov.uk.

The list can also be accessed from the Council’s website at www.bolsover.gov.uk. The Executive is allowed to make urgent decisions which do not appear in the list, however, a notice will be published at The Arc and on the Council’s website explaining the reasons for the urgent decisions. Please note that the decision dates are indicative and are subject to change.

The names of Executive members are as follows:

Councillor A M Syrett - Leader
Councillor M Dooley – Deputy Leader
Councillor T Connerton
Councillor B R Murray-Carr
Councillor K Reid
Councillor J Ritchie

The Executive agenda and reports are available for inspection by the public five clear days prior to the meeting of the Executive. The papers can be seen at The Arc at the above address. The papers are also available on the Council’s website referred to above. Background papers are listed on each report submitted to the Executive and members of the public are entitled to see these documents unless they contain exempt or confidential information. The report also contains the name and telephone number of a contact officer.

Meetings of the Executive are open to the public and usually take place in the Chamber Suites at The Arc. Occasionally there are items included on the agenda which are exempt and for those items the public will be asked to leave the meeting. This list shows where this is intended and the reason why the reports are exempt or confidential. Members of the public may make representations to the Assistant Director – Governance & Monitoring Officer about any particular item being considered in exempt.
The list does not detail all decisions which have to be taken by the Executive, only “Key Decisions”. In these Rules a “Key Decision” means an executive decision, which is likely:

1. to result in the Council incurring expenditure which is, or the making of savings which are, significant having regard to the Council’s budget for the service or function to which the decision relates; or

2. to be significant in terms of its effects on communities living or working in an area comprising two or more wards in the District.

In determining the meaning of “significant” the Council must have regard to any guidance for the time being issued by the Secretary of State. The Council has decided that income or expenditure of £50,000 or more is significant.

The dates for meetings of Executive in 2015/2016 are as follows:

2016  25 April

The Council hereby gives notice of its intention to make the following Key Decisions and/or decisions to be considered in private:
<table>
<thead>
<tr>
<th>Matter in respect of which a decision will be taken</th>
<th>Decision-maker</th>
<th>Date of Decision</th>
<th>Documents to be considered</th>
<th>Contact Officer</th>
<th>Is this decision a Key Decision?</th>
<th>Is this decision to be heard in public or private session</th>
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</thead>
<tbody>
<tr>
<td><strong>Oxcroft House Refurbishment Contract</strong></td>
<td>Executive</td>
<td>April 2016</td>
<td>Report of Councillor A Syrett, Leader of the Council</td>
<td>Assistant Director – Property and Estates</td>
<td>Yes – involves savings or expenditure of £50,000 or more.</td>
<td>Private – relates to the Council's financial or business affairs</td>
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<tr>
<td>To approve the contract for the refurbishment of Oxcroft House</td>
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<tr>
<td><strong>Site Acquisition, Clowne</strong></td>
<td>Executive</td>
<td>April 2016</td>
<td>Report of Councillor A Syrett, Leader of the Council</td>
<td>Assistant Director – Property and Estates</td>
<td>Yes – involves savings or expenditure of £50,000 or more.</td>
<td>Private – relates to the Council's financial or business affairs</td>
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<tr>
<td>To consider the purchase of a development site</td>
<td></td>
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<tr>
<td><strong>Vehicle Replacements</strong></td>
<td>Executive</td>
<td>April – May 2016</td>
<td>Report of Councillor B Murray-Carr, Portfolio Holder for Environment and Well-Being</td>
<td>Assistant Director – Streetscene</td>
<td>Yes – involves savings or expenditure of £50,000 or more.</td>
<td>Public</td>
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<td>To consider the purchase of Council vehicles</td>
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<td>Matter in respect of which a decision will be taken</td>
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<td>Is this decision a Key Decision?</td>
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</table>
| **Acquisition of Enhanced Software for Revenues and Benefits Service**  
To acquire a new software system to improve collection rates for Council Tax and NNDR, and to enhance services to the public by way of improved internet functionality | Executive | April 2016 | Report of Councillor T Connerton, Portfolio Holder for Customer Services and Revenues and Benefits | Assistant Director - Finance, Revenues & Benefits | Yes – involves savings or expenditure of £50,000 or more. | Private – relates to the Council’s financial or business affairs |
| **CCTV**  
To consider future options for CCTV in the District | Executive | April 2016 | Report of Councillor J Ritchie, Portfolio Holder for Housing and IT | Assistant Director – Community Safety and Head of Housing (BDC) | Yes – involves savings or expenditure of £50,000 or more. | Public |
| **Pleasley Vale Mills**  
To consider options for Pleasley Vale Mill | Executive | April-June 2016 | Report of Councillor A Syrett, Leader of the Council and Portfolio Holder for Property and Estates | Executive Director - Operations | Yes – involves savings or expenditure of £50,000 or more. | Private – relates to the Council’s financial or business affairs |
Annual Scrutiny Review of the Community Safety Partnership

19th April 2016

The Police and Justice Act 2006 brought in powers for Scrutiny to investigate the work being undertaken by the Community Safety Partnership (CSP). This was a power to look at the work of the partnership as a whole rather than a power to scrutinise individual partners.

The Act requires Local Authorities to designate a committee as a crime and disorder committee with responsibility for the “responsible authorities” (CSP Partners). The Healthy, Safe, Clean and Green Communities Scrutiny Committee is the designated Committee to carry out this review annually.

Listed below are 13 questions which have been put together by Scrutiny Members to assist in carrying out their review of the work of the CSP.

Efficiency

1. What are the latest statistics and trends in local crime? How do these compare to average regional and national measures and experiences?

2. How are the priorities of the CSP established?

3. What role does each of the responsible authorities play in the CSP’s work?

4. Are there improvements that can be made in the CSP’s delivery of services?

Effectiveness

5. How does the CSP compare with other CSPs in the region in terms of working practices and in relation to tackling crime and disorder?

6. Does the CSP have the best possible partnership working arrangements in place?

7. Does the CSP represent value for money? What evidence is there to support this claim?

Understanding local communities

8. What evidence does the CSP provide to show that its work is based on local priorities? Is this evidence robust?

9. How do you ensure that all communities receive a minimum level of Community Safety presence when officers are re-directed to those areas where there are higher levels of crime?
**Accountability**

10. Does the CSP communicate its work and achievements clearly to the local community?

**Any other questions**

11. What effect have the Public Spaces Protection Orders in Shirebrook and Langwith had on the community and have they made a difference in the policing of these areas? – Question from Councillor Peake.

12. Is there anything else that the Scrutiny Committee should be aware of?

13. Is there anything that the Scrutiny Committee can do to assist or support the work of the CSP over the next year?
Safeguarding Adults Policy

Report of the Environmental Health Manager

This report is public

Purpose of the Report

- To enable Healthy, Safe, Clean and Green Communities Scrutiny Committee to comment on the Safeguarding Adults Policy

1 Report Details

1.1 Attached is the draft Safeguarding Adults Policy which has been written by officers.

2 Conclusions and Reasons for Recommendation

2.1 To enable Healthy, Safe, Clean and Green Communities Scrutiny Committee to comment on the Safeguarding Adults Policy

3 Consultation and Equality Impact

3.1 Please see draft policy

4 Alternative Options and Reasons for Rejection

4.1 N/A

5 Implications

5.1 Finance and Risk Implications

Please see draft policy

5.2 Legal Implications including Data Protection

Please see draft policy
5.3 **Human Resources Implications**

Please see draft policy

6 **Recommendations**

6.1 For Healthy, Safe, Clean and Green Scrutiny Committee to make comment on the content of the Draft Safeguarding Adults Policy

7 **Decision Information**

<table>
<thead>
<tr>
<th>Is the decision a Key Decision?</th>
<th>No</th>
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<tr>
<td>(A Key Decision is one which results in income or expenditure to the Council of £50,000 or more or which has a significant impact on two or more District wards)</td>
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<tr>
<th>District Wards Affected</th>
<th>All</th>
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<tr>
<th>Links to Corporate Plan priorities or Policy Framework</th>
<th>Yes</th>
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8 **Document Information**

<table>
<thead>
<tr>
<th>Appendix No</th>
<th>Title</th>
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<tr>
<td></td>
<td>Safeguarding Adults Policy</td>
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**Background Papers** (These are unpublished works which have been relied on to a material extent when preparing the report. They must be listed in the section below. If the report is going to Cabinet (NEDDC) or Executive (BDC) you must provide copies of the background papers)

<table>
<thead>
<tr>
<th>Report Author</th>
<th>Contact Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Environmental Health Manager</td>
<td></td>
</tr>
</tbody>
</table>
Safeguarding Adults Policy

April 2016
We speak your language

Polish
Mówimy Twoim językiem

Slovak
Rozprávame Vaším jazykom

Chinese
我们会说你的语言

If you require this publication in large print or another format please call us on 01246 242424
### CONTROL SHEET FOR SAFEGUARDING ADULT POLICY

<table>
<thead>
<tr>
<th>Policy Details</th>
<th>Comments / Confirmation (To be updated as the document progresses)</th>
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<tr>
<td>Policy title</td>
<td>Safeguarding Adults Policy</td>
</tr>
<tr>
<td>Current status – i.e. first draft, version 2 or final version</td>
<td>Final April 2016</td>
</tr>
<tr>
<td>Policy author (post title only)</td>
<td>Diane Bonsor – Housing Needs Manager</td>
</tr>
<tr>
<td>Location of policy (whilst in development) – i.e. L-drive, shared drive</td>
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<tr>
<td>Relevant Cabinet Member (if applicable)</td>
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<tr>
<td>Equality Impact Assessment approval date</td>
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<tr>
<td>Partnership involvement (if applicable)</td>
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<tr>
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<tr>
<td>Date policy approved</td>
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<tr>
<td>Date policy due for review (maximum three years)</td>
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<tr>
<td>Date policy forwarded to Improvement (to include on Intranet and Internet if applicable to the public)</td>
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# Safeguarding Adult Policy

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1. Introduction

This document is the policy of Bolsover District Council and has been developed to compliment the Derbyshire and Derby Safeguarding Adults Policy and Procedures which has been agreed by all partners of both Safeguarding Boards. (document can be viewed at:-: www.saferderbyshire.gov.uk) This policy has been written in line with the Care Act 2014 and its statutory Safeguarding Guidance which replaces the “No Secrets” Guidance 2000.

It is the statutory obligation of every local authority with responsibility for adult care services to have a Safeguarding Adult Board (SAB). From April 2015 the Local Authority, local Clinical Commissioning Groups (CCG’s) and the Chief Officer of Police are required by law to be members of the SAB. The SAB must involve all relevant organisations and individuals to ensure that it has the involvement of all partners necessary to effectively carry out it’s duties. Each Local Authority and their partners must collaborate and work together as set out in the cooperation duties in the Care Act 2014 and in doing so, must, where appropriate also consider the wishes and feelings of the adult on whose behalf they are working.

The purpose of the Safeguarding Adults Policy is to make explicit the responsibilities of all professionals, volunteers and agencies working together to protect those adults most at risk from harm and abuse. All Local Authorities have a duty to safeguard adults and where they do not have a statutory lead for adult care services, they must work in partnership with their upper tier authority to ensure adults are safeguarded against abuse.

1.1 Policy Aims and Objectives

Bolsover District Council employees, Councillors, contractors and partners have a key role to play in safeguarding adults from abuse. Each individual is the eyes and ears of the Council and, therefore, has an important role to play in the event of timely and appropriate help, and joint working with agencies in the Council’s commitment and use of shared procedures in relation to safeguarding of adults.

The aims of this Policy are to:

- Implement and maintain systems of working practice to safeguard adults during council activities
- Ensure that adults have confidence in the council’s policies and procedures in respect of services we provide for them
- Ensure that concerns about abuse are reported promptly to the appropriate authorities
- Offer guidance and support to all employees and Councillors involved in Council activities, to assist them in recognising and responding to the signs of possible abuse, and to protect themselves against allegations
- Ensure that the Council’s role and responsibility in protecting adults from abuse is clear
- Raise awareness around safeguarding of adults
• Deliver against the Council’s Corporate Plan aim of supporting our communities to be safer, cleaner and greener

• Work in compliance with the Derby and Derbyshire Safeguarding Adult Partnership, Safeguarding Adult Policy and Procedures
  http://www.saferderbyshire.gov.uk

1.2 Legal framework

Nationally there is a wide range of legislation and regulatory framework relating to adults who may be vulnerable. These relate primarily to upper tier councils such as Derbyshire County Council, who have the statutory lead on adult care services. These include, but are not exhaustive:-

• The Care Act 2014 and its statutory guidance (this replaces the’ No Secrets’ Guidance 2000)
• Human Rights Act 1998
• Mental Capacity Act 2005 made it an offence to neglect or deliberately ill-treat a person who lacks capacity. It put arrangements in place for advocacy support and best interest decision making.
• SCIE Safeguarding Adults of Risk of Harm: a Legal Framework for Practitioners

2. Scope of the Policy

The Policy covers all of the functions and services of the Council, as well as the operations of partners, contractors, tenants and voluntary organisations that deliver services on its behalf, unless they have their own policy which has been recognised as an adequate substitute.

The Policy covers all adults over the age of 18 years of age who are affected by the services delivered by or on behalf of the Council.

The Council recognises that Derbyshire County Council’s Safeguarding Adults Team and the police are the lead agencies with regard to adults. The Council also recognises that everyone has a responsibility to safeguard adults, including all Council employees and Councillors who come into contact with adults.

The Council will endeavour to work with other relevant parties to organise and develop activities to ensure that all adults are able to take part at levels appropriate to their needs. Language and cultural requirements will also be taken into account. It considers that all adults should be treated equally and fairly.

2.1 Working Partners and Contractors

The Council regularly works with partners and contractors from a variety of sectors. Contractors will be expected to follow this Policy unless they have their own policy which has been recognised as an adequate substitute by Bolsover District Council.
Safe recruitment practice will include those persons who may not have direct contact with adults, but because of their presence will still be seen as safe and trustworthy.

The principles of safe recruitment will therefore be included in the terms of any contract drawn up between the Council and contractors or agencies that provide services for adults.

The Council will monitor compliance with the contract that will also include a requirement that the provider will not sub-contract to any personnel who have not been part of a safe recruitment process.

2.3 Key Principles of Safeguarding Adults
The six principles that underpin adult safeguarding apply to all sectors and settings including care and support services, social work, healthcare, welfare, housing providers and police. The principles should inform the ways in which professionals and other staff work with people at risk of abuse or neglect.

These principals can also help Safeguarding Adults Boards (SAB’s and organisations more widely by using them to examine and improve their local arrangements.

- **Empowerment**
  People being supported and encouraged to make their own decisions and have informed consent

- **Prevention**
  It is better to take action before harm occurs

- **Proportionality**
  The least intrusive response appropriate to the risk presented

- **Protection**
  Support and representation for those in greatest need

- **Partnership**
  Local solutions through services working with their communities. Communities have a part to play in preventing, detecting and reporting abuse.

- **Accountability**
  Accountability and transparency in delivering safeguarding.

Bolsover District Council as a SAB member will adhere to the following guiding principles:-

- To prevent harm and reduce the risk of abuse or neglect to adults with care and support needs.
- To safeguard individuals in a way that supports them in making choices and having control in how they choose to live their lives.
- To promote an outcomes approach in safeguarding that works for people resulting in the best experience possible. The SABs will seek the views of Adults who have been through safeguarding enquiries to gain assurance of the embedding of an outcomes focussed approach to safeguarding and to inform future developments of strategy, policy and procedures.
- To raise public awareness so that professionals, other staff and communities as a whole play their part in preventing, identifying and responding to abuse and neglect.
- Early sharing of information is the key to providing effective help where there are emerging concerns. Fears of sharing information must not stand in the way of promoting and protecting the well-being of adults at risk of abuse and neglect.

Source: ‘Derbyshire and Derby Safeguarding Adults Policy and Procedures May 2015’
3. Safeguarding Adults Criteria

The Adult experiencing, or at risk of abuse or neglect will hereafter be referred to as the Adult.

The safeguarding duties apply to an adult who:

• Has needs for care and support (whether or not the local authority is meeting any of those needs)

AND

• Is experiencing, or at risk of, abuse or neglect

AND

• As a result of those care and support needs is unable to protect themselves from either the risk of, or the experience of abuse or neglect.

Duties apply in relation to any person who is aged 18 or over and at risk of abuse or neglect because of their needs for care and support.

Care and support is the mixture of practical, financial and emotional support for adults who need extra help to manage their lives and be independent – including older people, people with a disability or long-term illness, people with mental health problems, and carers. Care and support includes assessment of people’s needs, provision of services and the allocation of funds to enable a person to purchase their own care and support. It could include care home, home care, personal assistants, day services, or the provision of aids and adaptations.

4. Adults not falling under the Safeguarding Adults criteria

Where there is concern that someone is being abused, neglected or is being affected by abuse, who does not meet the definition of adult as outlined in 3 above, then other forms of procedures or guidance may apply:

These may include:

• The Council’s Child Protection Policy
• Derbyshire Domestic Violence: MARAC
• Forced Marriage
• Multi Agency Public Protections Arrangements (MAPPA)
• Community Safety Services – including Anti-Social Behaviour Services.

In all cases, information will be supplied to the person about universal safety services.

NOTE: If actual or the threat of physical violence towards any adult is witnessed by a Council employee whilst carrying out their council duties they should phone the police on 999 immediately.
5. Recognition of abuse and bullying

It is not always easy to recognise when abuse has taken place or a situation that has taken place may develop to become abusive. Council employees are not expected to be experts at recognising such situations but they do have a responsibility to act if they have any concerns about the behaviour of an adult towards an adult and should be aware that harm and abuse can happen in any setting, including:

- a person’s home (including a care or nursing home)
- at work
- at college
- in a hospital
- at a day centre
- anywhere else people spend their time in the community (e.g. leisure centres).

All employees have a duty to discuss any concerns they may have about the welfare of an adult with their line manager or one of the designated Safeguarding Link Officers and ensure a referral is made to Adult Social Care or the police if appropriate as outlined in 13.2.

6. Recognition of Mental health issues

Everyone has mental health issues, like everyone has physical health issues. Both change throughout our lives. Minds like bodies can become unwell.

One in four people will be affected by mental health issues in any year.
Mental health problems can range from a mild stress-related symptoms, to acute conditions such as bipolar, depression, psychosis and schizophrenia.
The following can often be indicators that someone may need help:
Suicidal thoughts, social withdrawal, delusions, paranoia, confusion, self harm, marked mood swings severe anxiety.
Further information on Mental Health issues are available on the intranet or the ‘Rethink Mental Illness. SOS’ guide available at all Bolsover District Council Contact Centre and Leisure centres.

7 Definition of Abuse

Abuse is a violation of an individual’s human or civil rights, by any other person or persons. Professionals should not limit their view of what constitutes abuse or neglect, as they can take many forms and the circumstances of the individual case should always be considered. The following types of abuse and neglect are identified within the Care Act 2014, but should not be considered exhaustive;

- **Physical abuse** – including assault, hitting, slapping, pushing, kicking, misuse of medication, restraint or inappropriate physical sanctions.
- **Domestic abuse** – An incident or pattern of incidents of controlling, coercive or threatening behaviour, violence or abuse by someone who is or has been an
intimate partner or family member regardless of gender or sexuality. Includes psychological, physical, sexual, financial, emotional abuse, so called ‘honour’ based violence, Female Genital Mutilation and Forced Marriage.

- **Sexual abuse** – including rape, indecent exposure, sexual harassment, inappropriate looking or touching, sexual teasing or innuendo, sexual photography, subjection to pornography or witnessing sexual acts, indecent exposure and sexual assault or sexual acts to which the adult has not consented or was pressured into consenting.

- **Sexual exploitation** involves exploitative situations and relationships where people receive ‘something’ (e.g. accommodation, alcohol, affection, money) as a result of performing, or others performing on them, sexual activities

- **Psychological abuse** – including emotional abuse, threats of harm or abandonment, deprivation, of contact, humiliation, blaming, controlling, intimidation, coercion, harassment, verbal abuse, cyber bullying, isolation or unreasonable and unjustified withdrawal of services or supportive networks.

- **Financial or material abuse** – including theft, fraud, internet scamming, coercion in relation to an adult’s financial affairs or arrangements, including in connection with wills, property, inheritance or financial transactions, or the misuse or misappropriation of property, possessions or benefits.

- **Modern slavery** – encompasses slavery, human trafficking, forced labour and domestic servitude. Traffickers and slave masters use whatever means they have at their disposal to coerce, deceive and force individuals into a life of abuse, servitude and inhuman treatment.

- **Discriminatory abuse** – including forms of harassment, slurs or similar treatment; because of race, gender and gender identity, age, disability, sexual orientation or religion.

- **Organisational abuse** – including neglect and poor care practice within an institution or specific care setting such as a hospital or care home, for example, or in relation to care provided in one’s own home. This may range from one off incidents to on-going ill-treatment. It can be through neglect or poor professional practice as a result of the structure, policies, processes and practices within an organisation.

- **Neglect and acts of omission** – including ignoring medical, emotional or physical care needs, failure to provide access to appropriate health, care and support or educational services, the withholding of the necessities of life, such as medication, adequate nutrition and heating.

- **Self-neglect** – this covers a wide range of behaviour neglecting to care for one’s personal hygiene, health or surroundings and includes behaviour such as hoarding.

8. **Bolsover District Council’s commitment and duties**

8.1 The Council will:

- Ensure that adults understand that they have a right to be safe

- Ensure that victims are not deterred from reporting abuse

- Not make any promises to victims of abuse
- Support victims of abuse to rebuild their lives by working in partnership with specialist adult services where appropriate
- Work in partnership with specialist adult services to stop the abuse reoccurring
- Never delay reporting cases of possible adult abuse to relevant specialist adult services and taking emergency action, where appropriate
- Always record accurately, in writing, our concerns about abuse against an adult and share this information with other workers and agencies that are working with the individual/family
- Attend and contribute positively to Safeguarding Adult Case Conferences and Core Groups where appropriate
- Contribute to Adult Safeguarding Reviews and Serious Case Reviews, where necessary.

### 8.2 What are Bolsover District Council’s duties?

Bolsover District Council employees or elected members may be involved in the following ways:

- There may be concerns about an adult, these should be referred to Derbyshire County Council’s Adult Care Services or the police using the reporting procedures outlined at check section referral form
- An adult may make an allegation of abuse to you
- You may be approached by Derbyshire County Council’s Adult Social Care Team and asked to provide information about an adult or family, or to be involved in an assessment or to attend an Adult Safeguarding Case Conference. This may happen regardless of who made the referral to Safeguarding Adults
- You may be asked to be involved in a core group and provide help on specific services to an adult or member of their family, as part of an agreed plan to contribute to the reviewing of the Adult’s progress
- You may be asked to contribute to a serious case review.

### 9. CONFIDENTIALITY AND SHARING INFORMATION

Sharing information is essential in working to safeguard adults. It is also essential to enable early intervention to help adults and their families who need additional services to achieve positive outcomes. A key factor in many serious case reviews has been a failure to share information.

Derby and Derbyshire each have a Sharing of Information Protocol which can be located on the Safer Derbyshire website at [www.saferderbyshire.gov.uk](http://www.saferderbyshire.gov.uk) to ensure that effective communication is made across all organisations. The Data Protection Act (DPA) 1998 does not preclude the sharing of information to provide an effective
public service or protect a person from harm, danger and abuse. (DPA 1998 Schedule 2 Processing Conditions 1 (Consent) and 5 (Public Functions provision). There is also a legal provision to share information. The appropriate sharing of information between agencies is vital for the identification of and reduction of abuse, neglect or risk to safeguard adults at risk. [https://ico.org.uk/media/for-organisations/documents/1068/data_sharing_code_of_practice.pdf](https://ico.org.uk/media/for-organisations/documents/1068/data_sharing_code_of_practice.pdf)

The Council is required to share information about:

- Adults and their health, development and exposure to possible significant harm
- Adults who may not be able to care adequately and safely for themselves or loved ones
- Individuals who may present a risk to adults.

**Often it is only when information from a number of sources is shared that it becomes clear that a adult is at risk of or suffering from harm.**

Personal information held by the Council is subject to a legal duty of confidence and will normally only be disclosed to third parties with the consent of the subject of the information. In some circumstances, however, the safety and welfare of an Adult dictates that information must be shared, without seeking consent, or where consent has not been given.

**Where there are concerns that an adult is, or may be, at risk of harm, the needs of the adult must always come first – priority must be given to safeguarding the adult and information must be shared.**

Every effort should be made to maintain confidentiality, and information should be handled on a need to know basis. This includes the following:

- Members of the team undertaking an internal investigation, co-ordinated through the Safeguarding Officer
- The Adult who is alleged to have been abused
- The person making the allegation
- DCC Safeguarding Adults and the police

Sharing confidential information without consent in the public interest is normally justified:

- Where, in the interest of the Adult, reasonable concerns indicate that their health or development will be impaired without the provision of services
- Where there is evidence that an Adult is suffering, or is at risk of suffering significant harm
- Where there is reasonable cause to believe that an individual may be suffering, or at risk of suffering significant harm
• To prevent significant harm arising to an Adult, including through the prevention, detection and prosecution of serious crime.

Sharing information as part of preventative services:

• Obtaining consent should be the first consideration

• Where this is not possible the key factor on deciding whether to share confidential information without consent is proportionality i.e. whether the proposed sharing is a proportionate response to the need to protect the public interest in question

• In making the decision staff must weigh up what might happen if the information is shared against what might happen if it is not, make a decision based on reasonable judgement and record it.

Any information should be stored by the lead Safeguarding Officer and/or designated Safeguarding Link Officers in a secure place with limited access and in line with Data Security Guidelines (August 2015) and data protection principles (Data Protection Act 1998)

All data sharing decisions will be recorded in accordance with the Information Commissioner’s Office Data Sharing Code of Practice

10. EXPERT ADVICE

If you are not sure what to do, contact Call Derbyshire on 08456 058 058 or 01629 533190 if you suspect an adult at risk. The phone line is open 24 hours a day, 7 days a week.

11. ISSUES TO CONSIDER IN RESPONDING TO SUSPICIONS AND ALLEGATIONS OF ABUSE AND POOR PRACTICE

There are a number of barriers that exist which prevent an adult from telling others of the issues that they are experiencing. Some of the main barriers are that they may:

• Be scared because they may have been threatened
• Think they will be taken away from home
• Believe they are to blame, or they may feel guilty
• Think it happens to others
• Feel embarrassed
• Not want their abuser to get in trouble
• Have communication or learning difficulties
• Not yet have the vocabulary to describe what has happened
• Be afraid that they won’t be believed
• Think they have already told e.g. by dropping hints
• Have told someone before and weren’t believed. (So what’s the point in trying again?)

Action to be taken if a disclosure or allegation is made:
• React calmly
• Reassure the person that they were right to tell you
• Do not make promises of confidentiality; let the person know that you may have to tell another agency
• Try to reduce any questions you may choose to ask to an absolute minimum and concentrate on listening to the person. Questions should never be leading, they should only consist of Who …? Where …? When …? What …?
• Make a full written record of what has been said, heard and/or seen as soon as possible using a Referral form Appendix 1. This report form should then be discussed as soon as possible with your Line Manager and/or the Safeguarding Lead Officer or a Safeguarding Link Officer (see appendix 8 for details of contacts)

Actions to be avoided:
• Panic
• Allow shock and/or distaste to show
• Probe to find out more information than offered
• Speculate or make assumptions
• Make negative comments about the alleged abuser
• Make promises to agree to keep it a secret
• Discussing the issue with anyone other than the appropriate line Manager or Senior Manager.

It is not the responsibility of any employee, Councillor, or contractor of Bolsover District Council to decide whether or not abuse has taken place. There is, however, a responsibility to act on any concerns and to protect adults in order that appropriate agencies that in our case is DCC Adult Services and the police as they can make enquiries and take necessary action to protect the Adult using the process in Appendix 3 – Derby and Derbyshire Safeguarding Workflow and Toolkit.

12. REPORTING PROCEDURE

The procedures set out below are mandatory for all staff:
Designated Safeguarding Officer and Designated Safeguarding Link Officers

Bolsover District Council has one lead Officer designated as the Safeguarding Officer, supported by designated safeguarding Link Officers (see Appendix 8 for details of the Safeguarding Officer and Safeguarding Link Officers).

The Safeguarding Link Officers will be the appointed contact points for any employee or elected member who needs to report any incidents or concerns they may have. Employees will complete a referral sheet (appendix 1) and discuss this as soon as possible with the Link Officer who will contact Call Derbyshire and forward the referral form following the discussion.

NOTE: In the event of a Lead Safeguarding Officer or any of the Safeguarding Link Officers not being available the referral should not be delayed. A call should be made to Call Derbyshire during the same working day. The referral should be made by telephone on 08456 058058 or minicom on 01629 585400 between the hours of 0800hrs to 2000hrs Monday to Friday, between 0930 hrs to 1600hrs Saturday. Outside of these times contact can be made with the Out of Hours Team on 01629 532600. The referral process will be finalised by the completion of the Safeguarding Adults Referral Form and this will be emailed by secure email to contact.centre@derbyshire.gov.uk.

If unsure about whether to refer, you should contact Call Derbyshire on 08456 058058 or 01629 533190 and discuss your concerns. Before you make the telephone call it is important to have all the notes and information available to hand.

13. CREATING A SECURE ENVIRONMENT TO DISCUSS SAFEGUARDING ADULTS

It is essential that members of the public with information about possible adults at risk feel safe and supported. When they approach the Council or a Safeguarding Link Officer they should be:

• Offered a private, confidential interview room and a choice of being interviewed by a male or female officer.

• Seen immediately, if necessary by using the Lead Safeguarding Officer or one of the Safeguarding Link Officers (see Appendix 8). They should never be referred to another agency.

• Offered access to translation and interpretation services. It may not be appropriate to use family and friends depending on the nature of the allegation.

There may be occasions when an adult may approach you to make an allegation of abuse. If this happens you must do all of the above and the following:

• Be aware that you may be the first person to be told about the abuse; be patient and allow the victim to express themselves in their own time and in their own way

• Take their allegation seriously

• Reassure them that telling somebody about the abuse is the right thing to do.
• Note down their statement word for word and note their behaviour
• Do not ask leading questions
• Explain that you will need to contact Derbyshire Safeguarding Adults and possibly the police to get help to protect them from further abuse. This must be done immediately and prior to the adult leaving the office environment
• If the disclosure takes place in an environment outside of the office you must follow as much of the procedure above as possible
• If you believe the adult is in immediate risk of harm you must report it to the police on 999.

13.1 What to do if you have concerns about a adult

In your day to day work you may become aware of a Adult that you believe may be at risk, you may also be told about a Adult who may be at risk while you are carrying out your duties.

Record the incident as soon as possible including using appendix 1:

• be aware that your report may be required later as part of a legal action or disciplinary procedure
• record the time and date
• the name of the place and a description of the scene
• the names of people involved
• separate out factual information from your own opinions
• the report should be dated and signed and passed to either the Adult Safeguarding Lead Officer or a Safeguarding Link Officer during the same working day
• retain any original documentation. This may be required as evidence at a later date if there is a criminal investigation or prosecution.
• if you are dealing with a recent assault, which may be a potentially criminal matter, or where violence is ongoing, you should call emergency support e.g. the police or ambulance.

If you have any concerns:

• If the situation is an emergency and you feel that the adult is in immediate danger or requires medical assistance you must call the police and/or ambulance service on 999, and then speak to Call Derbyshire immediately on **08456 058 058 or 01629 533190** explaining your concerns. If you can, and it is safe to do so, stay with the adult until help arrives

• If it is a non-emergency situation you must complete appendix 1 and discuss your concerns with either The Safeguarding Lead or a Safeguarding Link Officer our line Manager, or if your line Manager is not available you should contact the lead Safeguarding Officer or a Safeguarding Link Officer (see Appendix 8).
• If it is agreed by Safeguarding Adults services that a referral is appropriate, Safeguarding Adults will confirm whether the adult is already known to the service, and whether they have a Social Worker

• If, after this discussion, it is decided that a referral is not necessary the Safeguarding Link Officers will document the reasons for this

• If there is already an allocated Social Worker, the Safeguarding Link Officer will contact them directly to discuss your concerns and then forward the completed referral form

• Safeguarding Adults services should acknowledge your referral within one working day. If the Safeguarding Link Officer has not heard anything from them within three working days the Safeguarding Link Officer should contact Safeguarding Adults services again

• Social Workers may contact you or the Safeguarding Link Officer to discuss the referral and advise you what further action (if any) will be taken

• If the Safeguarding Link Officer has not heard from Safeguarding Adults after 10 working days you need to contact them again to satisfy yourself that the adult is not at risk

• If you suspect that an adult may have been trafficked, (trafficked is when a person has been bought into the UK or moved around the country and are forced into what many people describe as modern day slavery, or the sex trade where they can be very often coerced, deceived, or forced into the control of other people that are not concerned with their well being) you must discuss your concerns with your a Safeguarding Link Officer. If neither are available please contact the Lead Safeguarding Officer for the council. In all cases a referral should be made through to Derbyshire Safeguarding Adults services.

What Happens Next?

• Social workers will complete an initial assessment of the adult referred to the service where appropriate; you may be expect to be involved in the initial assessment process, including providing further information about the adult, and family where necessary. Social workers may contact the adult and any associated family. Social Workers will also contact other professionals and relevant services to help them complete this initial assessment and they may ask for your help with this. If you can assist you should, but be clear with Social Workers about what our role is and what information you may be able to provide.

• Safeguarding Adults may decide that a referral to another agency is the most appropriate way for safeguarding the adult and again they should inform you and explain why and ensure that you receive this in writing

• If Safeguarding Adults decide that no further action is required at this stage of the referral they should inform you, and explain why. It is important that you receive the outcome in writing and that this is filed with all appropriate case paperwork
Safeguarding Adults/Social Workers may contact you for further assistance with the case if required.

14. HANDLING OF DIFFICULT SITUATIONS

There may be situations when individuals pose an immediate risk to others, property or themselves. For additional health and safety advice refer to the Council’s Employee Protection and Lone working Guidance, which can be found on the Council’s intranet site.

15. ALLEGATIONS AGAINST STAFF

Any concerns about the welfare of an adult arising from abuse or harassment by an employee of the Council, contractor or partner of Bolsover District Council must be reported immediately. It can often be difficult to report a fellow employee, but Bolsover District Council assures all employees that it will fully support and protect anyone who, without malicious intent, reports their concerns about a colleague’s practice or the possibility that an adult may be being abused or harassed.

Whilst we take any allegation seriously and investigate immediately and thoroughly, we also recognise that it is possible for an employee to become a victim of false accusations. Employees are encouraged to protect themselves from false accusations by adopting good practice at all times (see below).

Good Practice Guidelines for Employees

Examples of how to create a positive environment when working with adults:

- Work in an open environment, avoid private or unobserved situations
- Treat all adults with equal dignity and respect
- Put the welfare, success and achievement of each adult first, before the winning or achieving of goals
- Make activities enjoyable and promote fair play
- Maintain a safe and appropriate distance with adults
- If physical contact is necessary for demonstrating skills etc, explain and discuss these actions with the person first
- Recognise that caution is required, especially when dealing with sensitive moments e.g. when dealing with bullying, bereavement or abuse
- Keep up-to-date with technical skills, qualifications and insurance requirements
- Be an excellent role model, this includes not drinking alcohol or smoking in the company of adults in any work related environment
- Give constructive feedback rather than negative criticism
• Recognise the development needs of adults and avoid excessive training or competition.

**Things to Avoid**

You should **NEVER** allow or take part in any of the following:

• Engage in rough physical or sexually provocative games

• Engage in or allow any form of inappropriate touching

• Allow adults to use inappropriate language unchallenged

• Make sexually suggestive comments to an adult, even in fun

• Reduce an adult to tears, as a form of control

• Allow allegations made by a person to go unchallenged, unreco

• Do things of a personal nature for an adult that they can do for themselves including things like applying sun cream

• Transport or take adults to their home unsupervised

• Administer medication

• Take an adult to the toilet unsupervised.

**Control**

Two types of simple control methods can be used in order to prevent injury to the adult or significant damage to property:

• Simple physical presence as control. This involves no contact e.g. standing in front of an exit

• Holding or touching to persuade an adult to comply with verbal requests e.g. holding a person’s hand or using the shoulders to steer a person away from a situation.

Wherever possible, steps should be taken in advance to avoid the need for these control methods through dialogue and diversion. If a situation is approaching the point where these methods will not or do not work or if the person is threatening or using violence then the police should be contacted immediately. If other adults are present in the area they should, if possible, be moved away from the situation.

**Procedure to be followed if these control methods are used**

• Notify your line Manager and an Safeguarding Link Officer immediately after the incident has occurred

• Complete an incident report form, providing details of the incident and submit a copy of this to the Lead Safeguarding Officer.
• Complete an accident report form if necessary and send this to the Health and Safety Officer

**Safeguarding Link Officers should then:**

• Ensure the report is comprehensive

• Ensure that the carer/Safeguarding Adults are informed of the incident and are provided with a copy of the report

• Arrange a meeting to discuss the incident with the employee within 24 hours of the incident if possible

• Write up the meeting with the employee and obtain the employees signature to the accuracy of the discussion notes

• Keep all records of the incident in a secure locked cabinet

• Ensure further training to reduce the risk of this type of incident recurring is provided to the employee if appropriate. Training could include preventative measures and strategies.

Some specific posts and activities may need more detailed guidance. If employees have any concerns about the appropriateness of any practice or action, they should contact their line Manager where possible or Senior Manager.

**15.1 Types of Investigation**

If there is an allegation about an employee, the following types of investigation might take place:

• Criminal

• Disciplinary.

Civil proceedings could also be taken by the person or family who alleged the abuse or harassment.

**15.2 Action to be taken if there are concerns about an employee**

If the concern or allegation is clearly regarding poor practice then the line Manager and appropriate Senior Manager (usually Assistant Director or Director) should deal with it as a misconduct issue and follow the Employee Handbook’s usual disciplinary procedure.

Where it is suspected that abuse has taken place the following should happen:

• Any suspicions that an employee has abused an adult should be reported to a Director and to the Joint Assistant Director, Human Resources and Payroll

• The Director and Joint Assistant Director, Human Resources and Payroll will then seek advice from the Safeguarding Adults Lead Officer, who may then
involve the police. If the incident is out of hours the report should be made directly to the police

- The disciplinary procedure will then be followed.

In line with disciplinary procedures, Bolsover District Council will take a neutral stance and suspend any employee accused of abuse pending further investigations by the police, Safeguarding Adults and internally. Bolsover District Council will assess all individual cases under its disciplinary procedures, to decide whether an employee can be re-instated and how this can be handled. Bolsover District Council, with support and guidance from the Joint Assistant Director, Human Resources and Payroll, will reach a decision on the available information.

16. LEARNING AND DEVELOPMENT

Bolsover District Council has a responsibility to ensure all new staff undertake an induction programme which includes both corporate and service induction. As part of this induction programme, the Council will ensure staff are made aware of and understand their responsibilities in respect of the Safeguarding Adults Policy and Guidance.

Bolsover District Council will also provide on-going learning and development to ensure employees are confident and competent in carrying out their responsibilities and that they are aware of how to recognise and respond to safeguarding concerns.

Managers will be required to identify relevant staff who should attend Derbyshire County Council’s Adult Safeguarding multi agency training and awareness sessions. Details on courses can be found on the Derbyshire County Council’s site at www.saferderbyshire.gov.uk.

All new appointments undergo Bolsover District Council formal induction modules. In addition, as part of the induction process, employees will be supplied with a copy of the Employee Mini-guide, which directs employees to all the relevant policies on the intranet, which include the Council’s Safeguarding Adults Policy and Guidance. This is to ensure all new members of staff who may have to work with, or have access to adults understand its implications. Employees will be required to sign to acknowledge their understanding of the Safeguarding Adults Policy and Guidance and that they will abide by this. Adults training will also be provided for all employees who come into contact with adults as part of their job. Managers will be requested to identify those staff. Training may include internal courses, workshops, external courses, seminars and workshops organised by Safeguarding Adults.

All Safeguarding Link Officers will undertake training on their roles and responsibilities prior to undertaking this role and at regular intervals to update on any change in legislation.

The Derbyshire and Derby City Safeguarding Adults Policy and Procedures document can be found online at www.saferderbyshire.gov.uk

17. RECRUITMENT AND EMPLOYMENT

Bolsover District Council will take all reasonable steps to prevent unsuitable people from working with adults. In particular, it will:
• Ensure all employees with responsibility for recruitment and selection are trained;
• Evaluate the need for Disclosure and Barring Service checks on all vacancies/new posts;
• As appropriate, identify requirement in job advertisement/candidate profile;
• As appropriate, ensure previous experience of working with adults (and also any apparent gaps in employment history) is covered at interview;
• Confirm identity of prospective appointee;
• Take up two references (one from current or most recent employer) and, as appropriate Enhanced check from DBS, prior to commencement of appointment.

Please refer to the Council’s Policy on Recruitment & Selection in respect of all appointments.

18. WORK EXPERIENCE PLACEMENTS

All individual and group work experience and unpaid work placements must be managed in accordance with the policy on Work Experience Placements, see appendix 5 for guidance on employing adults either on work experience or work placements.

19. HEALTH AND SAFETY

Under Health and Safety law, Bolsover District Council has the same legal and moral responsibilities for the health, safety and welfare of adults, as it has for its staff.

Protecting the health and safety of adults should comply with the Council’s legal responsibilities, but at the same time not restrict the adult’s right to autonomy, privacy or dignity.

We should also take into account that adults may be:

• inexperienced;
• have not been trained; and
• may not pay enough attention to health and safety.

Risk assessments will be carried out for all activities involving adults before they start in employment, on work-experience, or participate in supervised Bolsover District Council activities (see appendix 6). The risk assessment will determine the level of supervision the adult requires.

All adults will be inducted before they start in employment and work-experience or undertake supervised Bolsover District Council activities. This will provide them with the information and instruction to enable them to carry out their tasks safely, or participate in activities safely.

Any accident involving an adult should be reported using the health and safety accident report form on the Council’s Intranet, and a copy sent to the Health and Safety Officer.
20. GUIDELINES FOR PHOTOGRAPHY AND FILMING AT COUNCIL MANAGED FACILITIES AND EVENTS

Anyone wishing to use photographic/film/video equipment may do so only with the permission of Bolsover District Council.

Permission will only be granted once a photographer has signed to say he or she will abide by the conditions of photographic and filming equipment.

These conditions are:

- Any images taken will be used only for the purposes stated on the Photography and Filming Request Form.
- Any images are taken with the permission of the subjects. (Appendix 7)
- Proof of identity may be required in order to grant permission to use the photographic filming equipment.
- Bolsover District Council reserves the right to withdraw permission to use photographic filming equipment immediately without prior warning. Failure to stop photography when asked may result in the photographer being asked to leave or reporting the incident to the police.
- The photographer should be sensitive to other users/participants and, as far as reasonably possible, restrict the images taken to those of the subject(s).
- If, at any time, another user in the area where the photographs are being taken complains about the activity then the photography or filming must stop immediately.
- If, in the case of private hiring of facilities, it is the responsibility of the organisers/hirers to inform carers of the individuals attending the event that photographs will be taken.
- It is the responsibility of any commercial photographer taking images at Council facilities to obtain written permission of any subjects included in their photographs to use the images before publication.
- Images may only be taken in the areas shown and on the date indicated on the Photography and Filming Permission Request form.
- If, for any reason, the details shown on the permission request change, the form should be returned to the Council for alteration. If, when challenged, a discrepancy is found between the photographer and the Council, copies of the permission request, permission to use photographic and filming equipment will be withdrawn.

20.1 Photography and filming during external hire of facilities

The control of the use of photographic/film/video equipment by external hirers of Council facilities is the responsibility of the hirer. This responsibility extends from who
is allowed to use photographic/film/video equipment, to where and where not equipment is used and what images are and are not allowed to be taken.

It is the hirer’s responsibility to ensure that all participants are aware that photographic/filming/video equipment is going to be used. Where appropriate, they may be required to get written permission from participants, their guardians/carers to use the photographs in publicity promotional or media material.

20.2 Guidelines for taking photographs of Adults

There will be occasions when photographs are taken for the purposes of gathering evidence for enforcement action or contractual compliance, and the following precautions will be taken:

• If a photograph is used, avoid naming individuals

• Before the images are taken, the written permission of the individual(s) should be sought

• Only use images of individuals in suitable dress to reduce the risk of inappropriate use

• There are some activities, e.g. swimming, gymnastics and athletics, where the risk of potential misuse is much greater. With these sports, the photographs should focus on the activity not a particular subject and should avoid full face and body shots. For example, photographs of adults in a pool/on poolside would be appropriate from the waist or shoulders up.

21. VIGILANCE BY THE GENERAL PUBLIC

No matter what arrangements are put in place to prevent the misuse of cameras, videos or mobile phones with digital image recording, the nature of “peeping tom” type activity makes it very difficult to police. In recognition of this Bolsover District Council asks users of their facilities to be alert to any suspicious activity, particularly where adults may be involved, and encourages them to report any such incidents or concerns at the earliest opportunity to a Council employee.
Appendix 1

Derby Safeguarding Adults Board and Derbyshire Safeguarding Adults Board
Referral Form

When completing the referral form please consult the Derby and Derbyshire Safeguarding Adults Procedures.

**FOR ALL SAFEGUARDING REFERRALS PLEASE TELEPHONE** the relevant local authority to make the referral before submitting this form.

**For Derby City**, please call 01332 640777 or 01332 786968 outside of office hours. You can also fax this form to Adult Social Care on 01332 643299.

**For Derbyshire County**, all safeguarding referrals must be rung through to Call Derbyshire on 01629 533190 during the following hours:
- After 17.00 and before 09.00am – Monday to Friday
- All day Saturday and Sunday
- All Bank Holidays and any other public holidays
Referral forms must NOT be sent through to area duty points via GCSX accounts during the above times.

If you have an email address with the following suffixes (@gsi.gov.uk, @gsx.gov.uk, @gcsx.gov.uk, @nhs.net, and @pnn.police.uk, @cjamp.net) you can email the form securely to the email addresses below:

<table>
<thead>
<tr>
<th>Derby City</th>
<th><a href="mailto:DDAultsSocialcare@derby.gov.uk">DDAultsSocialcare@derby.gov.uk</a>, cjamp.net</th>
</tr>
</thead>
<tbody>
<tr>
<td>Amber Valley Area (Ripley, Alfreton, Belper)</td>
<td><a href="mailto:AC.BSAmbervalley@derbyshire.gcsx.gov.uk">AC.BSAmbervalley@derbyshire.gcsx.gov.uk</a></td>
</tr>
<tr>
<td>Bolsover Area (Clowne, Whitwell)</td>
<td><a href="mailto:AC.BSBolsover@derbyshire.gcsx.gov.uk">AC.BSBolsover@derbyshire.gcsx.gov.uk</a></td>
</tr>
<tr>
<td>Chesterfield Area</td>
<td><a href="mailto:AC.RSChesterfield@derbyshire.gcsx.gov.uk">AC.RSChesterfield@derbyshire.gcsx.gov.uk</a></td>
</tr>
<tr>
<td>Erewash (Long Eaton, Ilkeston)</td>
<td><a href="mailto:AC.BSErewash@derbyshire.gcsx.gov.uk">AC.BSErewash@derbyshire.gcsx.gov.uk</a></td>
</tr>
<tr>
<td>High Peak Area (Glossop, Buxton)</td>
<td><a href="mailto:AC.BSHighpeak@derbyshire.gcsx.gov.uk">AC.BSHighpeak@derbyshire.gcsx.gov.uk</a></td>
</tr>
<tr>
<td>Matlock Area</td>
<td><a href="mailto:AC.BSHQ@derbyshire.gcsx.gov.uk">AC.BSHQ@derbyshire.gcsx.gov.uk</a></td>
</tr>
<tr>
<td>North East Area (Clay Cross/Dronfield/ Eckington)</td>
<td><a href="mailto:AC.BSNorthEast@derbyshire.gcsx.gov.uk">AC.BSNorthEast@derbyshire.gcsx.gov.uk</a></td>
</tr>
<tr>
<td>South Dales Area (Ashbourne, Swadlincote, Shardlow, Willington, Hilton, Etwell)</td>
<td><a href="mailto:AC.BSSouthDales@derbyshire.gcsx.gov.uk">AC.BSSouthDales@derbyshire.gcsx.gov.uk</a></td>
</tr>
</tbody>
</table>

**Please note:** sending person identifiable information using the above email addresses may amount to a breach of Data Protection legislation if you do not send from a secure email address to a secure email address.

**ALL QUESTIONS MUST BE COMPLETED IN FULL**
Any incomplete forms will be reported to agency safeguarding leads for quality assurance.

<table>
<thead>
<tr>
<th>DETAILS OF THE ADULT</th>
<th>Date of Birth</th>
<th>Ethnic Origin</th>
</tr>
</thead>
<tbody>
<tr>
<td>Name of relevant adult:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Address:</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Present location of adult if different from above:

<table>
<thead>
<tr>
<th>Is the adult aware of the referral?</th>
<th>Yes ☐</th>
<th>No ☐</th>
<th>If no, why not:</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>What does the adult want to happen as an outcome of the referral?</th>
<th></th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Have they consented to the referral?</th>
<th>Yes ☐</th>
<th>No ☐</th>
</tr>
</thead>
</table>

02-07-15
<table>
<thead>
<tr>
<th>Have they got Capacity under the MCA to consent?</th>
<th>Yes □</th>
<th>No □</th>
<th>Not Known □</th>
</tr>
</thead>
<tbody>
<tr>
<td>Is the adult able to independently represent their views and wishes?</td>
<td>Yes □</td>
<td>No □</td>
<td></td>
</tr>
<tr>
<td>Who would the adult like to support or represent them?</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Does the adult need referral to formal advocacy support or services?</td>
<td>Yes □</td>
<td>No □</td>
<td></td>
</tr>
</tbody>
</table>

**STATUTORY SAFEGUARDING CRITERIA**

What care and support needs does the adult have?

How do these needs prevent the adult keeping themself safe?

<table>
<thead>
<tr>
<th>CATEGORY OF ALLEGED ABUSE/RISK OF ABUSE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Physical</td>
</tr>
<tr>
<td>Domestic Abuse</td>
</tr>
<tr>
<td>Self-Neglect</td>
</tr>
</tbody>
</table>

**DETAILS OF ALLEGED ABUSE/RISK OF ABUSE**

Details of alleged abuse/ risk of abuse/ concerns. Please give as much detail as possible about what the concerns are, what has happened and what risk of future abuse/harm has been identified (Who is involved, What has happened, Where has it happened, When did it happen, How has it happened)

What immediate safeguarding action has been taken?

Where has the alleged abuse occurred or is likely to occur (if this is a regulated setting, please provide full address and postcode)

Date of suspected abuse: | Time of suspected abuse
---|---

Have police already been informed?  
Yes □  
No □  
Unknown □  
If yes, what is the incident number?

Date of Death (if applicable)

Does making this referral place anyone at risk of harm including other adults or children? (Think Family- please)  
Yes □  
No □  
If yes please detail

02-07-15
<table>
<thead>
<tr>
<th>make a referral to children’s services if you have concerns for the welfare or safety of a child</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Has the abuse or neglect been directly observed?</td>
<td>Yes ☐ No ☐ Unknown ☐</td>
</tr>
<tr>
<td>If yes by whom?</td>
<td></td>
</tr>
</tbody>
</table>

**DETAILS OF THE PERSON WHO HAS ALLEGEDLY CAUSED HARM**

<table>
<thead>
<tr>
<th>Name of person alleged to have caused harm</th>
<th>Date of Birth</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Address</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Is this person:</th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>A carer</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>Family member</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>Partner</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>Professional</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>Stranger</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>Unknown/ other</td>
<td>☐</td>
<td>☐</td>
</tr>
</tbody>
</table>

**Details of relationship**

<table>
<thead>
<tr>
<th>Is the person who has allegedly caused harm/abuse aware of the referral?</th>
<th>Yes ☐ No ☐</th>
<th></th>
</tr>
</thead>
</table>

**DETAILS OF THE PERSON MAKING THIS REFERRAL**

<table>
<thead>
<tr>
<th>Name of referrer and referring agency</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Address</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Telephone no</th>
<th>E-mail:</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Signature of referrer</th>
<th>Print name</th>
</tr>
</thead>
<tbody>
<tr>
<td>[by typing your name you are signing this electronic form]</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Date alert raised in referring agency</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Date form completed</td>
<td>Time</td>
</tr>
</tbody>
</table>

**ADDITIONAL INFORMATION**

06-06-15
Appendix 2

Quick reference guide

The information below is available in a small credit card size to enable it to be used for easy reference. This is available from the Child Protection Link Officers and Human Resources.

Safeguarding children and vulnerable adults

Definition of a child
A child or young person under 18 years of age.

Definition of a vulnerable adult
A Vulnerable Adult is any person aged 18 years or over who appears to be eligible for Local Authority or mental health services by reason of mental illness, age or disability and may be unable to take care of themselves or protect themselves against significant harm or serious exploitation. Includes vulnerable adults who make arrangements for their own care and/or support.

Mental Health Issues
We all have mental health, like we all have physical health. Both change throughout our lives, and, like our bodies, our minds can become unwell. One in four of us will be affected by mental health issues in any year. Mental health problems cover a wide spectrum from mild stress-related symptoms, to severe acute conditions such as bipolar, depression, psychosis and schizophrenia. The following can often be indicators that someone may need help: Suicidal thoughts, social withdrawal, delusions, paranoia, confusion, self-harm, marked mood swings, severe anxiety.

For more information on mental health see the intranet or pick up a ‘Rethink Mental Illness - SOS’ guide in one of our contact or leisure centres. For more immediate concerns, contact one of the Safeguarding Link Officers, or for employee concerns contact HR.

What is abuse? - some examples
- Physical – examples: physical assault, rough handling, shaking, throwing or unreasonable physical restraint
- Emotional – examples: emotional maltreatment such as conveying they are worthless or unloved, or preventing someone from interacting socially with others, it could be bullying or exploitation
- Sexual – examples: any non consenting sexual act or behaviour, inappropriate physical contact, involving children or vulnerable adults in pornographic materials, encouraging children to behave in sexually inappropriate ways
- Neglect – examples: failure to meet a child’s, young person’s or vulnerable adult’s basic physical and/or psychological needs, failing to provide adequate food and clothing, failing to maintain the child’s or vulnerable adults hygiene standards, inadequate supervision, unresponsive to the individual’s emotional needs
- Financial – examples: misappropriation of funds or action that is against the person’s best interest, theft of money or possessions, fraud or extortion

Indicators of abuse - some examples
- Unexplained or suspicious injuries such as cuts, bruises, burns or in unusual places or parts of the body
• An injury for which the explanation seems inconsistent
• The child/young person/vulnerable adult describes what appears to be an abusive act involving them
• Unexplained changes in behaviour
• Inappropriate sexual awareness
• Distrusting of adults
• Difficulty making friends
• Is prevented from socialising with others
• Becomes increasingly dirty or unkempt.

How to respond to suspected abuse
• React calmly
• Reassure the person that they were right to tell you
• Do not make promises of confidentiality, let the person know that you may have to tell another adult
• Keep questions to an absolute minimum and concentrate on listening
• Keep questions to Who? Where? When? What?
• Make a full written record of what they have said as soon as possible.

How to report it
The Council has a number of designated child and vulnerable adults protection link officers. These officers are the point of contact for any employee that needs to report any incidents or concerns they may have.

At BDC the contacts are;
• Paul Hackett, Executive Director - Transformation Tel: 01246 217543
• Lee Hickin, JAD - Leisure Tel: 01246 242225
• Dawn Clarke, JAD - Finance, Revenues & Benefits Tel: 01246 242214
• Alison Donohoe, Customer Services Manager Tel: 01246 242230
• Diane Bonsor, Housing Needs Manager Tel: 01246 593062
• Deborah Whallett, Housing Enforcement Manager Tel: 01246 593057
• Janice Barltrop, Human Resources Advisor Tel: 01246 217013

At NEDDC the contacts are;
• Paul Hackett, Executive Director - Transformation Tel: 01246 217543
• Lee Hickin, JAD - Leisure Tel: 01246 217218
• Dawn Clarke, JAD - Finance, Revenues & Benefits Tel: 01246 217658
• Carl Griffiths, Private Rented Sector and Housing Options Manager Tel: 01246 217625
• Rachel Pope, Customer Services Manager Tel: 01246 217544
• Janice Barltrop, Human Resources Advisor Tel: 01246 217013
• Tania Morrell, Senior HR Advisor Tel: 01246 217006

Or alternatively out of hours - you can call ‘Starting Point’
24 hrs a day 7 days a week on; 01629 533190 or 08456 058 058.
Safeguarding Workflow

**Actions should be recorded on case notes under 'safeguarding issues'**

- **Safeguarding Notification**
  - Within 24 hrs
  - Decision

- **Within 5 days**
  - **NFA**
  - **Safeguarding Strategy Discussion**
    - **Strategy Meeting Record**
      - Uploaded Documents
      - **Notify Business Services**

  - **Decision**

  - **Complex case**
    - Non-complex case
      - No or minimal investigation required
      - **Safeguarding Investigation**
        - *Force Mental Capacity Assessment*
        - *Uploaded Documents* e.g. police reports
        - **Safeguarding Case Conference**
          - **Case Conference Meeting Record**
            - Uploaded Documents
      - **Group Manager to authorise end of safeguarding**
      - **Safeguarding Case Conclusion**
        - **Conclusion Monitoring Form**
          - Decision
          - **Protection Plan**
            - No protection plan
            - **NFA**
          - **Safeguarding Review**
            - Only if needed
            - **Safeguarding Review**

  - **Plan not working**
    - None - reformal allegation - start new referral

  - **End of safeguarding**

  - **Decision**

  - **Plan working**
## Glossary

This glossary sets out what is meant in the Policy by some key terms.

<table>
<thead>
<tr>
<th>Term</th>
<th>Meaning</th>
</tr>
</thead>
<tbody>
<tr>
<td>Abuse and neglect</td>
<td>Form of maltreatment of a Adult</td>
</tr>
<tr>
<td>Adult</td>
<td>A Adult is any person aged 18 years or over who appears to be eligible for Local Authority or mental health services by reason of mental illness, age or disability and may be unable to take care of themselves or protect themselves against significant harm or serious exploitation. Includes Adults who make arrangements for their own care and/or support.</td>
</tr>
<tr>
<td>Employees</td>
<td>Those employed by the Council, partners, contractors as well as volunteers involved in the delivery of the Council’s activities</td>
</tr>
<tr>
<td>Local Authority</td>
<td>County, District and Borough Councils.</td>
</tr>
<tr>
<td>The Council</td>
<td>Bolsover District Council</td>
</tr>
<tr>
<td>Safeguard and promote the welfare of Adults</td>
<td>The process of protecting from abuse or neglect, preventing impairment of their health and development, and ensuring their circumstances are consistent are the provision of safe and effective care which is undertaken so as to enable Adults to have optimum life chances</td>
</tr>
</tbody>
</table>
Managing Work Experience Policy Guiding Principles and Procedures

Before a Adult commences in a placement or work experience, Managers will:

- Contact the Human Resource Section before any arrangements are put in place, or agreement is given, to offer a placement or work experience to a adult
- Arrange for the referring organisation or individual to complete and return a Work Experience Application Form to the Human Resource Section
- Carry out risk assessments of all activities to be undertaken by the adult
- Inform Safeguarding Adults/Carers and/or referring organisation of the risks and the measures in place to control them
- Prepare a draft programme of activities to discuss and agree with the adult and/or referring organisation before the start of the placement
- Identify any restrictions placed on work activities
- Determine the level of supervision required
- Identify a named person responsible for the supervision

On commencement in placement, Managers will:

Ensure the following induction is covered on day one:

- Nature of the tasks to be undertaken
- Issue and explain risk assessments in place relating to these tasks
- Discuss the main hazards of the tasks and the environment, and the measures in place to control them
- Fire and emergency safety – location of fire assembly point, extinguishers, and fire exits, evacuation procedures, bomb procedures
- First aid facilities – first aiders and location of first aid box
- Accident reporting procedure – how and who to report an accident or near miss to
- Issue and explain relevant Safety Advice Notes
- Give task specific instruction in manual handling
- Undertake an assessment of the DSE and workstation, if appropriate
- Issue and explain the use of personal protective clothing, if appropriate
- Introduce Supervisor, buddy, and other staff
- Undertake tour of the premises and site, including kitchen and toilet facilities.

Following induction on day one, Managers and those undertaking work experience will sign and date the Induction Checklist which should be forwarded to Human Resources, who will retain a copy on file. Further induction will take place over a number of days. Managers will also ensure those on a long-term work placement also attend Corporate Induction.
Appendix 6

Undertaking Risk Assessments

Under Health and Safety law, we must assess the risks to adults before they start in placement. We must also tell them what these risks are.

Risk assessments should be carried out in accordance with the document ‘Further Guidance – the Purpose of Risk Assessments’ using the standard risk assessment template. Managers will also need to take into account that adults may be:

- Inexperienced
- Lack training
- Mentally or physically immature.

We should take specific account of:

- How the workplace is fitted and laid out
- What type of equipment will be used and how will it be handled
- How the work is organised
- What training is needed to carry out the tasks safely
- Any hazardous substances they may be exposed to
- What are the risks from the work hazards.

Restrictions on work:

An adult must not undertake any tasks where a significant risk remains in spite of the best efforts made to take all reasonable steps to control it, for example:

- Work or tasks that cannot be adapted to meet any physical or mental limitations they may have
- Exposure to substances which are toxic or cause cancer
- Exposure to radiation
- Works or tasks involving extreme heat, noise or vibration.
Training and supervision:

All adults undertaking work experience placements need to be trained to do the work without putting themselves and other people at risk. It is important to ensure that processes are in place to check that they have understood the training, which should cover:

- The hazards of the workplace
- The control measures in place
- A basic introduction to health and safety.

Adults will face unfamiliar risks from the job they will be doing and from their surroundings, and for this reason, may require more supervision.

Managers will ensure:

- The supervision of the adult at all times, including breaks
- Clearly defined work tasks
- Clear methods of working and safe instruction
- A relevant training programme
- Any work restrictions are clearly defined and checked that they have been understood.
CONSENT FORM FOR PHOTOGRAPHS OF ADULTS

A. Name of carer: ________________________________________________________________

B. Name of Adult: ______________________________________________________________

Home address (if required): _____________________________________________________

Bolsover District Council would like to take photographs at a Council organised event. These photographs may appear in our printed publications, on our web site, or both.

Note to carer: Before taking any photographs of the person named above, we need your permission. Please answer questions 1 and 2 below, then sign and date the form where shown. Please return the completed form to a Council Officer attending the event or send to the address at the bottom of this form.

<table>
<thead>
<tr>
<th>To the carer</th>
<th></th>
<th>Please circle</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. May we use the photograph of the person named in B above in printed publications produced by Bolsover District Council?</td>
<td></td>
<td>Yes/No</td>
</tr>
<tr>
<td>2. May we use the photograph of the person named in B above on our web site?</td>
<td></td>
<td>Yes/No</td>
</tr>
</tbody>
</table>

Please note that web sites can be viewed throughout the world, not just in the United Kingdom where UK law applies.

This form is valid for four years from the date of signing. Bolsover District Council will seek renewed consent if the photograph(s) are to be re-used after that time.

Signature: ____________________________ Date: _______________________

Please return this form to: APPROPRIATE SERVICE TO INSERT ADDRESS DETAILS

All personal information provided to Bolsover District Council will be held and treated in confidence in accordance with the Data Protection Act 1998. It will only be used for the purpose for which it was given.
Appendix 8

Key contact points

Bolsover District Council

SAMT Lead Officer – Paul Hackett, Executive Director Transformation: 01246 217543
Safeguarding Lead Officer – Diane Bonsor, Housing Needs Manager: 01246 593062

Safeguarding Link Officers

° Lee Hickin, Joint Assistant Director Leisure, telephone: 01246 232225
° Dawn Clarke, Joint Assistant Director Resources: 01246 217013
° Deborah Whallett, Housing Enforcement Manager: 01246 593062
° Alison Donohoe, customer Services Manager: 01246 242230
° Janice Barltrop, Human Resources Advisor: 01246 217013
° Melanie Osborne, Senior Parenting Practitioner: 01246 593024
Child Protection Policy

Report of the Environmental Health Manager

This report is public

**Purpose of the Report**

- To enable Healthy, Safe, Clean and Green Communities Scrutiny Committee to comment on the Child Protection Policy

1 **Report Details**

1.1 Attached is the draft Child Protection Policy which has been reviewed by officers.

2 **Conclusions and Reasons for Recommendation**

2.1 To enable Healthy, Safe, Clean and Green Communities Scrutiny Committee to comment on the Child Protection Policy

3 **Consultation and Equality Impact**

3.1 Please see draft policy

4 **Alternative Options and Reasons for Rejection**

4.1 N/A

5 **Implications**

5.1 **Finance and Risk Implications**

Please see draft policy

5.2 **Legal Implications including Data Protection**

Please see draft policy
5.3 **Human Resources Implications**

Please see draft policy.

6 **Recommendations**

6.1 For Healthy, Safe, Clean and Green Scrutiny Committee to make comment on the content of the Draft Child Protection Policy

7 **Decision Information**

<table>
<thead>
<tr>
<th><strong>Is the decision a Key Decision?</strong> (A Key Decision is one which results in income or expenditure to the Council of £50,000 or more or which has a significant impact on two or more District wards)</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>District Wards Affected</strong></td>
<td>All</td>
</tr>
<tr>
<td><strong>Links to Corporate Plan priorities or Policy Framework</strong></td>
<td>Yes</td>
</tr>
</tbody>
</table>

8 **Document Information**

<table>
<thead>
<tr>
<th><strong>Appendix No</strong></th>
<th><strong>Title</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Child Protection Policy</td>
</tr>
</tbody>
</table>

**Background Papers** (These are unpublished works which have been relied on to a material extent when preparing the report. They must be listed in the section below. If the report is going to Cabinet (NEDDC) or Executive (BDC) you must provide copies of the background papers)

<table>
<thead>
<tr>
<th><strong>Report Author</strong></th>
<th><strong>Contact Number</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>Environmental Health Manager</td>
<td></td>
</tr>
</tbody>
</table>
Child Protection Policy
Appendix A

April 2016
We speak your language

Polish
Mówimy Twoim językiem

Slovak
Rozprávame Vaším jazykom

Chinese
我们会说你的语言

If you require this publication in large print or another format please call us on 01246 242424
<table>
<thead>
<tr>
<th>Document Details</th>
<th>Comments / Confirmation (To be updated as the policy progresses)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Policy title</td>
<td>Child Protection Policy</td>
</tr>
<tr>
<td>Current status – i.e. first draft, version 2 or final version</td>
<td>Final Draft</td>
</tr>
<tr>
<td>Policy author</td>
<td>Deborah Whallett</td>
</tr>
<tr>
<td>Location of Policy (whilst in development) – i.e. L-drive</td>
<td>L drive</td>
</tr>
<tr>
<td>Relevant Cabinet Member (if applicable)</td>
<td></td>
</tr>
<tr>
<td>Equality Impact Assessment approval date</td>
<td></td>
</tr>
<tr>
<td>Partnership involvement (if applicable)</td>
<td></td>
</tr>
<tr>
<td>Final policy approval route i.e. Joint Strategic Alliance Committee, Cabinet/Executive/Council</td>
<td></td>
</tr>
<tr>
<td>Date Policy approved</td>
<td>2013 Revised 2016</td>
</tr>
<tr>
<td>Date Policy due for review (maximum three years)</td>
<td>2019</td>
</tr>
<tr>
<td>Date policy forwarded to Improvement (to include on Intranet and Internet if applicable to the public)</td>
<td></td>
</tr>
</tbody>
</table>
CONTENTS

1. The Introduction

2. Aims of the Policy
   2.1. Key Principles
   2.2. Shared information
   2.3. Definitions
   2.4. Scope
   2.5. Partners
   2.6. Contractors

3. The Policy Statement
   3.1. Recognitions of abuse and bullying
   3.2. Responding to suspicions and allegations
   3.3. Handling difficult situations
   3.4. Recruitment and employment
   3.5. Learning and development
   3.6. Work experience placements
   3.7. Health and Safety
   3.8. Guidelines for photography and filming

4. Responsibility for implementing the Policy

5. Glossary of Terms,

6. Appendices,
1.0 INTRODUCTION

1.1 Local authorities have a duty under Section 11 of the Children Act 2004 to ensure that their functions and services, provided on their behalf, are discharged with regard to the need to safeguard and promote the welfare of children.

Bolsover District Council (hereby referred to as ‘the Council’) is committed to ensuring that all children and young people are protected and kept safe from harm.

We have a responsibility to safeguard and promote the well being of children and young people so that they enjoy a safe and positive atmosphere free from harassment and bullying. However, not all children and young people have positive experiences in their life, and we are committed to promote the welfare of children and young people by encouraging good practice.

2.0 THE AIMS OF THIS POLICY

The aims of the policy are to:

- Implement and maintain systems of working practice to safeguard children and young people at Council activities;
- Ensure that children/young people and their parents have confidence in Council employees, policies and practices in respect of the safe supervision of children and young people;
- Ensure that concerns about abuse are reported promptly to the appropriate authorities;
- Offer guidance and support to all employees, volunteers and Councillors involved in Council activity to assist them in recognising and responding to the signs of possible abuse, and to protect themselves against allegations;
- Ensure that the Council’s role and responsibility in protecting children and young people from abuse is clear;
- Raise awareness around safeguarding children and young people;
- Supporting our Corporate Plan aim of supporting our communities to be safer, cleaner and greener
- Raise awareness of safeguarding issues and procedures;
- Work in compliance with the Derby and Derbyshire Safeguarding Children Procedures (www.derbyshirescb.org.uk).

2.1 Key principles

The guidance given in this policy document is based on the following key principles:

- The welfare of children and young people is the primary concern
- It is the responsibility of all employees, Councillors and volunteers to report any concerns regarding suspected abuse against children and young people
• All children and young people, whatever their age, culture, disability, gender, language, racial origin, religious beliefs and/or sexual identity have the right to protection from abuse;
• All incidents of suspected poor practice and/or allegations should be taken seriously and responded to quickly and appropriately. This includes allegations of poor practice against employees, volunteers and Councillors.

2.2 **Shared information** (Appendix A)

All employees have a statutory obligation to safeguard the confidentiality of personal information. Access to personal information should be on a strict need-to-know basis when you are sharing information within the Council and with other agencies.

Children and young people have equal rights to confidentiality. If a child or young person is making a disclosure you must always explain that some of this information will need to be shared with appropriate people and/or agencies.

2.3 **Definition of abuse**

**Physical abuse** - may involve hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating, or otherwise causing physical harm. Physical harm may also be caused when a parent or carer fabricates the symptoms of, or deliberately induces illness in a person.

**Emotional abuse** – is the persistent emotional maltreatment of a person such as to cause severe and persistent adverse effects on the person’s emotional development. It may involve conveying to the person that they are worthless or unloved, inadequate, or valued only insofar as they meet the need of another person. It may be expecting someone to behave in a way that is above their age or ability. These may include interactions that are beyond the person’s developmental capability, as well as overprotection and limitation of exploration and learning, or preventing the person participating in normal social interaction. It may involve serious bullying causing individuals frequently to feel frightened or in danger, or the exploitation or corruption of children or young people. Some level of emotional abuse is involved in all types of maltreatment, though it may occur alone.

**Sexual abuse** – involves forcing a child or young person, or enticing a child or young person, to take part in sexual activities, including prostitution, whether or not the person is aware of what is happening. The activities may involve physical contact, including penetrative (e.g. rape, anal or oral sex) or non-penetrative acts. They may include non-contact activities, such as involving children or young people in looking at, or in the production of, pornographic materials or watching sexual activities, or encouraging children or young people to behave in sexually inappropriate ways.
Neglect – is the persistent failure to meet a child’s or young person’s basic physical and/or psychological needs, likely to result in the serious impairment of the individual’s health or development. Neglect may occur during pregnancy as a result of maternal substance abuse. Once a child is born, neglect may involve a parent or carer failing to provide adequate food and clothing, shelter including exclusion from home or abandonment, failing to protect a child or young person from physical and emotional harm or danger, failure to ensure adequate supervision including the use of inadequate care-takers, or the failure to ensure access to appropriate medical care or treatment. It may also include neglect of, or unresponsiveness to, a person’s basic emotional needs.

Financial Abuse – misappropriation of an individual’s funds, benefits, savings etc. or any other action that is against the person’s best interests, e.g.:-

- Theft of money, possessions, property or other material goods;
- Misuse of money;
- Fraud or extortion of material assets;

2.4 Scope of Policy

The policy covers all of the functions and services of the Council, as well as the operations of partners, contractors and voluntary organisations that deliver services on its behalf.

The policy covers all children and young people up to the age of 18 years of age who are affected by the services delivered by or on behalf of the Council.

The Council recognises that Derbyshire County Council’s (DCC) Children’s Social Care Service and the police are the lead agencies in the Council with regard to child protection. The Council also recognises that everyone has a responsibility for child protection, including all employees and Councillors who come into contact with children and young people. Young people and families within our community also have a role to play as well as the community at large.

As a service provider the Council is committed to equality. The Council will endeavour to work with parents and other relevant parties to organise the environment and to plan activities to ensure that all children and young people are able to take part at levels appropriate to their needs. Language and cultural requirements will also be taken into account. It considers that all children and young people should be treated equally and fairly.

Certain professional bodies, e.g. the National Coaching Foundation, may have additional policies. Members of professional bodies need to contact their body to find out about any additional child protection policies they must apply. If the allegations are made against a qualified coach/leader/teacher, the senior manager will also need to inform the relevant National Governing Body or Leading Authority.
2.5 **Working Partners**

The Council regularly works with partners and contractors from a variety of sectors. This policy will be drawn to the attention of, and made available to, all agencies and organisations in joint working situations.

2.6 **Contractors**

Contractors will be expected to follow the policy unless they have their own policy which has been recognised as an adequate substitute.

Safe recruitment practice will include those persons who may not have direct contact with children or young people, but because of their presence will still be seen as safe and trustworthy.

The principles of safe recruitment will therefore be included in the terms of any contract drawn up between the Council and contractors or agencies that provide services for, or adults to work with, children and young people.

The Council will monitor compliance with the contract that will also include a requirement that the provider will not sub-contract to any personnel who have not been part of a safe recruitment process.

3.0 **THE POLICY STATEMENT**

3.1 **RECOGNITION OF ABUSE AND BULLYING** (Appendix B)

It is not always easy to recognise when abuse has taken place or a situation that has taken place may develop to become abusive. Council employees are not expected to be experts at recognising such situations but employees do have a responsibility to act if they have any concerns about the behaviour of an adult or child towards a child or young person. All employees have a duty to discuss any concerns they may have about the welfare of a child or young person with one of the Council's identified link Officers (see appendix K) or their line manager or another appropriate senior manager as soon as possible.

3.2 **RESPONDING TO SUSPICIONS AND ALLEGATIONS OF ABUSE AND POOR PRACTICE**

We take any allegation seriously and investigate immediately and thoroughly.

There are a number of barriers that exist which prevent a child or young person from telling others about abuse, some of the main barriers are that they may:

- Be scared because they may have been threatened;
- Think they will be taken away from home;
- Believe they are to blame, or they may feel guilty;
- Think it happens to others;
• Feel embarrassed;
• Not want their abuser to get in trouble;
• Have communication or learning difficulties;
• Not yet have the vocabulary to describe what has happened;
• Be afraid that they won’t be believed;
• Think they have already told e.g. by dropping hints;
• Have told someone before and weren’t believed, so what’s the point in trying again.

Action to be taken if a disclosure or allegation is made:

• React calmly;
• Reassure the person that they were right to tell you;
• Do not make promises of confidentiality, let the person know that you may have to tell another adult;
• Try to reduce any questions you may chose to ask to an absolute minimum and concentrate on listening to the person. Questions should never be leading, they should only consist of Who …? Where …? When …? What …?
• Make a full written record of what has been said, heard and/or seen as soon as possible.
• This report should then be discussed with a Child Protection Link Officer, your line manager or other senior manager.

Actions to be avoided:

• Panic;
• Allow shock and/or distaste to show;
• Probe to find out more information than offered;
• Speculate or make assumptions;
• Make negative comments about the alleged abuser;
• Make promises to agree to keep it a secret;
• Discussing the issue with anyone other than the appropriate line manager or senior manager.

It is not the responsibility of any employee of the Council to decide whether or not abuse has taken place. There is, however, a responsibility to act on any concerns and to protect children and young people in order that appropriate agencies (in our case DCC Children’s Social Care and the police) can make enquiries and take necessary action to protect the child or young person (Appendix D – flowchart summary of responding to suspicions).

3.2.1 Quick Guide

To assist staff and Child Protection Link Officers (CPLO) there is a quick reference guide “Safeguarding Children and vulnerable adults” attached at appendix C. These guides are available from the CPLO’s and Human Resources.
3.2.2 Sharing concerns with parents

The Council is committed to work in partnership with parents or carers where there are some concerns about a child or young person. In most situations it is important to talk to parents and carers to help clarify any initial concerns. The appropriate senior manager should liaise with the parents or carers. There are some circumstances in which a person may be placed at even greater risk if concerns are shared (e.g. where a parent or carer is responsible for the abuse or not able to respond to the situation appropriately). If in doubt speak to Children’s Social Care.

3.2.3 Reporting procedure

The procedures set out below are mandatory for all employees

3.2.4 Designated Child Protection Link Officers (CPLO)

The Council has several Officers who have been designated as Adult and Child Protection Link Officers. (see Appendix K for details).

The link Officers have been appointed to act as contact points for any employee that needs to report any incidents or concerns they may have.

There is also a Child Protection Safeguarding Lead Officer and SAMT Lead (see Appendix K for details).

The CPLO will have a specific responsibility for:

- reporting any allegation or suspicion of child abuse or neglect to Children’s Social Care or the Police
- being fully familiar with relevant sections of Derby and Derbyshire Safeguarding Children Procedures
- championing the safeguarding of children within the Council
- informing the Safeguarding Lead Officers within the Council; Contact details can be found in Appendix K
- attending regular training from Derbyshire County Council’s Safeguarding Training team.

If CPLO’s are unsure about whether to refer, they should ring Call Derbyshire on 01629 533190 and discuss their concerns.

Any CPLO making referrals to Call Derbyshire must ensure the information is forwarded to the Child Protection Lead Officer for recording and monitoring purposes.
3.2.5 Employees

Employees responding to a suspicion of abuse, neglect or poor practice should complete full notes of the incident and liaise with one of the designated CPLO. It is also recommended that they keep their line manager informed. The CPLO will then decide what appropriate action needs to be taken, usually contacting either or both DCC Children’s Social Care section and the police in respect of the child. The Council will co-operate fully with any investigation carried out by these agencies in line with their procedures.

There is also helpful advice available for employees and Councillor’s on the Council’s intranet pages, ERIC.

3.2.6 Call Derbyshire

If you contact Call Derbyshire, (this will usually be a CPLO), a customer care assistant will take down the details of the child and will ask you to confirm it in writing. Link Officers should confirm in writing using the new Starting Point electronic referral record – located at www.derbyshire.gov.uk/startingpoint

Before you make the telephone call it is important to have all the notes and information available to hand. When you telephone Children’s Social Care initially you will be answered by the Customer Services Adviser. It is important to make it clear at this point that you wish to discuss an individual child and wish to talk to a social worker. You will then either be put through to the duty social worker or the social worker will ring you back. This person will take all the details and will be able to discuss with you any concerns you have about your immediate course of action with respect to the child. For example, if the person’s parent or carer is about to collect them shortly you will need to be clear about how to act. Referrals telephoned to the Children’s Social Care section should be confirmed in writing within 24 hours.

Be sure to take the name and job title of the person you speak to. The social worker’s first job is to make a number of enquiries such as obtaining information from other professionals who are involved in the person’s welfare. In terms of action the response time will vary depending on the situation. You can expect to be kept informed. If this does not happen within three working days you should phone back.

If you are not a CPLO and have had to contact Call Derbyshire please ensure you pass full details of the referral to the Child Protection Lead Officer for recording purposes.
3.2.7 Allegations against Staff

Any concerns about the welfare of a child or young person arising from abuse or harassment by an employee of the Council must be reported immediately. It can often be difficult to report a fellow employee, but the Council assures all employees that it will fully support and protect anyone who, without malicious intent, reports their concerns about a colleague’s practice or the possibility that a child or young person may be being abused or harassed.

Whilst we take any allegation seriously and investigate immediately and thoroughly, we also recognise that it is possible for an employee to become a victim of false accusations. Employees are encouraged to protect themselves from false accusations by adopting good practice at all times. Examples of how to create a positive environment when working with children and young people are set out in Appendix E.

3.2.8 Types of investigation

If there is an allegation about an employee, there may be three types of investigation:

- Criminal;
- Child Protection;
- Disciplinary.

Civil proceedings could also be taken by the person or family who alleged the abuse or harassment.

3.2.9 Action to be taken if there are concerns about an employee

If the concern or allegation is clearly regarding poor practice then the line manager and appropriate senior manager (usually Service Manager) should deal with it as a misconduct issue and follow the Council’s usual disciplinary procedure.

Where it is suspected that abuse has taken place the following should happen:

- Any suspicions that an employee has abused a child or vulnerable adult should be reported to the Joint Assistant Director of Human Resources and Payroll;
- The Joint Assistant Director of HR and Payroll will then seek advice from the DCC Children’s Social Care contact, who may then involve the police. If the incident is out of hours the report should be made directly to the police;
- The disciplinary procedure will then be followed.
In line with disciplinary procedures, the Council will take a neutral stance and suspend any employee accused of abuse pending further investigations by the police, DCC Children’s Social Care section and internally. The Council will assess all individual cases under its disciplinary procedures, to decide whether an employee can be re-instated and how this can be handled. The Council will reach a decision on the available information.

3.2.10 Confidentiality

Every effort should be made to maintain confidentiality, and information should be handled on a need to know basis. This includes the following:

- Members of the team leading the internal investigation;
- The parents/guardian/carer of the person who is alleged to have been abused;
- The person making the allegation;
- DCC Children’s Social Care and the police;
- The alleged perpetrator.

Sharing the confidential information without consent in the public interest is normally justified:

- Where, in the interest of the child or young person, reasonable concerns identify that their health or development will be impaired without the provision of services;
- Where there is evidence that a child or young person is suffering or is at risk of suffering significant harm;
- Where there is reasonable cause to believe that an individual may be suffering or at risk of suffering significant harm;
- To prevent significant harm arising to children and young people, including through the prevention, detection and prosecution of serious crime.

Sharing information as part of preventative services

- Obtaining consent should be the first consideration;
- Where this is not possible the key factor on deciding whether to share confidential information without consent is proportionality i.e. whether the proposed sharing is a proportionate response to the need to protect the public interest in question;
- In making the decision you must weigh up what might happen if the information is shared against what might happen if it is not, make a decision based on reasonable judgement and record it.

Any information should be stored in a secure place with limited access and in line with data protection laws.
3.2.11 Expert advice

If you are not sure what to do, contact Call Derbyshire; telephone 01629 533190. They will give you guidance and support through the process.

3.2.12 Request for support/early help

Request for support/early help: If staff or CPLO’s feel that a child and their family require early help, family support from a Multi-Agency team, they should complete the electronic referral record at www.derbyshire.gov.uk/startingpoint. Staff should indicate on the form what support they have provided to the child and whether they have completed an early help assessment. All electronic referral records are received by Starting Point and prioritised and triaged by staff. If staff have completed the electronic form requesting support for a child, they may be contacted by Starting Point as part of the information gathering process to help gather a broad picture of the child’s needs.

3.2.13 Advice and consultation line

Starting Point includes a new telephone advice and consultation line for professionals to use when they want to discuss a child’s circumstances. The line is staffed 8am – 6pm Monday to Friday by a Social Worker Senior Practitioner and the number is 01629 535353. This line is not a referral line or available to members of the public and all referrals about child protection must be called through to Call Derbyshire on 01629 533190 or early help requests made on the electronic referral record at www.derbyshire.gov.uk/startingpoint

3.3 HANDLING OF DIFFICULT SITUATIONS (Appendix E)

3.3.1 There may be situations when individuals pose an immediate risk to others, property or themselves. For additional health and safety advice refer to the Council’s Employee Protection Policy.

3.3.2 Where dialogue and diversion tactics fail, there are two types of simple control methods that can be used.

(1) Simple physical presence as control. This involves no contact e.g. standing in front of an exit;

(2) Holding or touching to persuade a child or young person to comply with verbal requests e.g. holding a person’s hand or using the shoulders to steer a person away from a situation;

3.3.3 If a situation is approaching the point where these methods will not or do not work, or if the person is threatening or using violence then the police should be contacted immediately.

3.3.4 Set procedures must be applied if these control methods are used (Appendix E).
3.4 **RECRUITMENT AND EMPLOYMENT** (Appendix F)

3.4.1 Bolsover District Council will take all reasonable steps to prevent unsuitable people from working with children and young people. In particular, it will:

- Ensure all employees with responsibility for recruitment and selection are trained;
- Evaluate the need for Disclosure and Barring Service Checks (DBS) Disclosure check for all vacancies/new posts;
- As appropriate, identify requirement in job advertisement/candidate profile;
- As appropriate, ensure previous experience of working with children and vulnerable adults (and also any apparent gaps in employment history) is covered at interview;
- Confirm identity of prospective appointee;
- Take up two references (one from current or most recent employer) and, as appropriate, Enhanced Disclosure check from DBS, prior to commencement of appointment.

Please refer to the Council’s Policy on Recruitment and Selection in respect of all appointments. A summary of the key steps to be followed is shown at Appendix F.

3.5 **LEARNING AND DEVELOPMENT**

3.5.1 The Council has a responsibility to ensure all new employees undertake an induction programme which includes both corporate and service induction. As part of this induction programme, the Council will ensure employees are made aware of and understand their responsibilities in respect of the Child Protection Policy.

3.5.2 The Council will also provide on-going learning and development to ensure employees are confident and competent in carrying out their responsibilities and that they are aware of how to recognise and respond to safeguarding concerns.

3.5.3 All new appointments undergo the Council’s formal induction modules. In addition, have access to policies via the Intranet. Child protection training will be provided for all employees who come into contact with children and young people as part of their job. Managers will be requested to identify those staff. Training may include internal courses, workshops, external courses, seminars and workshops organised by Child Protection agencies.

3.5.4 All CPLO’s will undertake training on their roles and responsibilities prior to undertaking this role and at regular intervals to update on any change in legislation.

3.6 **WORK EXPERIENCE PLACEMENTS** (Appendix G)

3.6.1 All individual and group work experience and unpaid work placements must be managed in accordance with the policy on Work Experience
Placements. When placing students under the age of 18, the steps highlighted in the above mentioned document must still be completed.

3.7 HEALTH AND SAFETY

3.7.1 Under health and safety law, the Council has the same legal and moral responsibilities for the health, safety and welfare of children and young people, as it has for its employees.

3.7.2 Protecting the health and safety of children and young people should comply with the Council’s legal responsibilities but at the same time not restrict the child’s/young person’s right to autonomy, privacy or dignity.

3.7.3 We should also take into account that children or young people may be:

- inexperienced;
- have not been trained; and
- may not pay enough attention to health and safety.

3.7.4 Risk assessments will be carried out for all activities involving children and young people before they start in employment, on work-experience, or participate in supervised Council activities. The risk assessment will determine the level of supervision the child or young people requires.

3.7.5 All children and young people will be inducted before they start in employment and work-experience or undertake supervised Council activities. This will provide them with the information and instruction to enable them to carry out their tasks safely, or participate in activities safely.

3.7.6 An accident, incident or a near miss to a child or young person should be reported using the health and safety accident report form on the Council’s intranet.
3.8 GUIDELINES FOR PHOTOGRAPHY AND FILMING AT COUNCIL MANAGED FACILITIES AND EVENTS

3.8.1 Anyone wishing to use photographic/film/video equipment at the Council’s indoor facilities and/or events may do so only with the permission of the Council. Permission will only be granted once a photographer has signed to say he or she will abide by the conditions of photographic and filming equipment.

These conditions are:

- Any images taken will be used only for the purposes stated on the Photography and Filming Request Form;
- Any images are taken with the permission of the subjects (Appendix H);
- Proof of identity may be required in order to grant permission to use the photographic filming equipment;
- The Council reserves the right to withdraw permission to use photographic filming equipment immediately without prior warning. Failure to stop photography when asked may result in the photographer being asked to leave or reporting the incident to the police;
- The photographer should be sensitive to other users/participants and as far as reasonably possible restrict the images taken to those of the subject(s);
- If at any time another user in the area where the photographs are being taken complains about the activity then the photography or filming must stop immediately;
- If in the case of private hiring of Council facilities, it is the responsibility of the organisers/hirers to inform parents/carers of the individuals attending the event that photographs will be taken;
- It is the responsibility of any commercial photographer taking images at Council facilities to obtain written permission of any subjects included in their photographs to use the images before publication;
- Images may only be taken in the areas shown and on the date indicated on the Photography and Filming Permission Request form;
- If, for any reason, the details shown on the permission request change, the form should be returned to the Council for alteration. If, when challenged, a discrepancy is found between the photographer and Council, copies of the permission request, permission to use photographic and filming equipment will be withdrawn.

3.8.2 Photography and filming during external hire of facilities

The control of the use of photographic/film/video equipment by external hirers of Council facilities is the responsibility of the hirer. This responsibility extends from who is allowed to use photographic/film/video equipment, to where and where not equipment is used and what images are and are not allowed to be taken.
It is the hirer’s responsibility to ensure that all participants, and their parents if under 16, are aware that photographic/filming/video equipment is going to be used. Where appropriate, they may be required to get written permission from participants or their parents/guardians/carers to use the photographs in publicity promotional or media material.

3.8.3 Guidelines for taking photographs of children and young people

There will be occasions when photographs are taken for the purposes of gathering evidence for enforcement action or contractual compliance, and the following precautions will be taken:

- If a photograph is used, avoid naming individuals;
- Before the images are taken the written permission of the individual’s parents should be sought;
- Only use images of individuals in suitable dress to reduce the risk of inappropriate use;
- There are some activities, e.g. swimming, gymnastics and athletics, where the risk of potential misuse is much greater. With these sports, the photographs should focus on the activity not a particular subject and should avoid full face and body shots. For example, photographs of children and young people in a pool would be appropriate or, if on poolside, from the waist or shoulder up.

3.8.4 Vigilance by the general public

No matter what arrangements are put in place to prevent the misuse of cameras, videos or mobile phones with digital image recording, the nature of “peeping tom” type activity make it very difficult to police. In recognition of this, the Council asks users of their facilities to be alert to any suspicious activity, particularly where children and young people may be involved and encourages them to report any such incidents or concerns at the earliest opportunity to a Council employee.

4.0 RESPONSIBILITY FOR IMPLEMENTING THIS POLICY

SAMT Lead Officer – Executive Director, Paul Hackett telephone 01246 242566
Child Protection Lead Officer – Deborah Whallett, Housing Enforcement Manager, telephone: 01246 593057

Child Protection Link Officers
Diane Bonsor, Lead Safeguarding Link Officer (Adult), telephone: 01246 593062
Alison Donohoe, Customer Services Manager Tel: 01246 242230
Lee Hickin, Joint Assistant Director – Leisure, telephone 01246 242225
Janice Barltrop, Human Resources Advisor, telephone: 01246 217013
Melanie Osborne, Senior Parenting Practitioner, telephone: 01246 593024
Dawn Clarke, Joint Assistant Director Finance, Revenues and Benefits, telephone 01246 242214
This glossary sets out what is meant in the Policy by some key terms.

<table>
<thead>
<tr>
<th>Term</th>
<th>Meaning</th>
</tr>
</thead>
<tbody>
<tr>
<td>Abuse and neglect</td>
<td>Form of maltreatment of a child or vulnerable adult.</td>
</tr>
<tr>
<td>Child(ren) / young person/people</td>
<td>Anyone who has not yet reached their 18th birthday.</td>
</tr>
<tr>
<td>Employees</td>
<td>Those employed by Bolsover District Council, its Councillors, partners, contractors as well as volunteers involved in the delivery of Council activities or in Council premises or facilities.</td>
</tr>
<tr>
<td>Local Authority</td>
<td>County and borough councils.</td>
</tr>
<tr>
<td>Parent</td>
<td>Generic term to include birth parents, step-parents, carers including adoptive parents and same sex parents who have a legal responsibility for the child. The term will specify parental responsibility where necessary.</td>
</tr>
<tr>
<td>Safeguard and promote the welfare of children</td>
<td>The process of protecting from abuse or neglect, preventing impairment of their health and development, and ensuring they are growing up in circumstances consistent with the provision of safe and effective care which is undertaken so as to enable children to have optimum life chances and enter adulthood successfully.</td>
</tr>
<tr>
<td>The Council</td>
<td>Bolsover District Council</td>
</tr>
</tbody>
</table>
Shared Information

Key points for sharing information

- Employees should explain to the child, young person and parent at the outset, openly and honestly, what information will, or could be shared. They should explain how and why it needs to be shared, and seek their agreement. The exception is where to do so would put the person or others at risk of significant harm, or undermine prevention, detection of prosecution of a serious crime including where seeking consent might lead to interference with a potential investigation.

- Employees must always consider the safety and welfare of a child or young person when making decisions on whether to share information about them. Where there is concern that the person may be suffering or is at risk of significant harm, the individual’s safety and welfare must be the overriding consideration.

- Employees should, wherever possible, respect the wishes of children, young people or their parents who do not consent to share confidential information. Employees may still share information, if in their judgement on the facts of the case; there is sufficient need to override that lack of consent.

- Employees should seek advice where they are in doubt, especially where their doubt relates to a concern about possible significant harm to a child, young person or to others.

- Employees should ensure that the information they share is accurate and up-to-date, necessary for the purpose for which they are sharing it, shared only with those people who need to see it and shared securely.

- Staff should always record the reasons for their decision – whether it is to share information or not.

Obtaining consent

The individual’s consent should always be sought. However a lack of consent should never compromise the safety or welfare of a child or young person. However, consideration should be given to why consent is being withheld in line with their human rights. Written consent to share information should be sought wherever possible.
Appendix B

Recognition of Abuse and Bullying

Definitions of abuse

The following definitions below are adapted from Department of Health (2006) *Working Together to Safeguard Children*.

**Physical abuse**

Physical abuse may involve hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating or otherwise causing physical harm. Physical harm may also be caused when a parent or carer fabricates the symptoms of, or deliberately induces illness in a person.

**Emotional abuse**

Emotional abuse is the persistent emotional maltreatment of a person such as to cause severe and persistent adverse effects on the person’s emotional development. It may involve conveying to the person that they are worthless or unloved, inadequate, or valued only insofar as they meet the needs of another person. These may include interactions that are beyond the person’s developmental capability, as well as overprotection and limitation of exploration and learning, or preventing the person participating in normal social interaction. It may involve serious bullying or corruption of children or vulnerable adults. Some level of emotional abuse is involved in all types of maltreatment of a child, thought it may occur alone.

**Sexual abuse**

Sexual abuse involves forcing a child or young person or enticing a child or young person to take part in sexual activities, including prostitution, whether or not the person is aware of what is happening. The activities may involve physical contact, including penetrative (e.g. rape, anal or oral sex) or non-penetrative acts. They may include non-contact activities, such as involving children, young people or young people in looking at, or in the production of pornographic materials or watching sexual activities, or encouraging children or young people to behave in sexually inappropriate ways.

**Neglect**

Neglect is the persistent failure to meet a child’s or young person’s basic physical and/or psychological needs, likely to result in the serious impairment of the individual’s health or development. Neglect may occur during pregnancy as a result of maternal substance abuse. Once a child is born, neglect may involve a parent or carer failing to provide adequate food and clothing, shelter including exclusion from home or abandonment, failing to protect a child or vulnerable adult from physical and emotional harm or danger, failure to ensure adequate supervision including the use of inadequate care-takers, or the failure to ensure access to appropriate medical care or treatment. It may also include neglect of, or unresponsiveness to, a person’s basic emotional needs.
Indicators of Abuse

Indicators that a person may be experiencing abuse could include the following:

- Unexplained or suspicious injuries such as bruising, cuts or burns, particularly if situated in a part of the body not normally prone to such injuries. Bruises that reflect hand marks or fingertips could indicate pinching or slapping. Cigarette burns and scalds would also be a concern.
- An injury for which the explanation seems inconsistent.
- The child or vulnerable adult describes what appears to be an abusive act involving him or her.
- Someone else (a child or adult) expresses concern about the welfare of another person.
- Unexplained changes in behaviour e.g. becoming very quiet, withdrawn or having severe temper outbursts.
- Inappropriate sexual awareness.
- Engaging in sexually explicit behaviour.
- Discomfort when walking or sitting down.
- Distrust of adults, particularly those with whom a close relationship would normally be expected.
- Has difficulty making friends.
- Is prevented from socialising with other people.
- Displays variations in eating patterns including overeating and loss of appetite.
- Loses weight for no apparent reason.
- Becomes increasingly dirty and unkempt.

This list is not exhaustive and the presence of one or more of the indicators is not proof that abuse is actually taking place or has taken place.

Abuse of Children and Young People with a Disability

Children and young people with a disability are at increased risk of abuse and those with multiple disabilities are at even more significant risk both of abuse and neglect. Parents of children with a disability may experience multiple stresses. This group of children and young people may be particularly vulnerable to abuse for a number of reasons including:

- Having fewer social contacts than other children.
- Receiving intimate personal care from a larger number of carers.
- Having an impaired capacity to challenge abuse.
- Having communication difficulties resulting in difficulties in telling people what is happening.
- Being reluctant to complain for fear of losing services.
- Being particularly vulnerable to bullying or intimidation.
- Being more vulnerable to abuse by peers than other children.
Bullying

In some cases of abuse it may not always be an adult abusing a child or young person. In the case of bullying, the abuser may be another child or young person. Bullying is deliberately hurtful behaviour, usually repeated over a period of time, where it is difficult for those being bullied to defend themselves.

Anyone can be a target for bullying, sometimes victims are singled out for being overweight, physically small, having a disability, being shy and/or sensitive or belonging to a different race, faith or culture. Bullying can and does occur anywhere there is inadequate supervision.

Bullying may include:

• Physical - including hitting, kicking and theft.
• Verbal - including name calling, teasing, racist or homophobic taunts, threats and graffiti.
• Emotional - including tormenting, ridiculing, humiliating and ignoring.
• Sexual - including unwanted physical contact or abusive comments.
• Cyber bullying - e.g. e-mail, text messaging etc.

Bullying can cause a considerable amount of stress to children and young people, it can affect their health and development, and in extreme cases it can cause them significant harm including self-harm.

Indicators that a child or young person is being bullied could include:

• Behavioural changes such as reduced concentration, becoming withdrawn, clingy, depressed, tearful, having mood swings, having a reluctance to go to training, events or sports clubs.
• A drop in performance at training, events, rehearsals etc.
• Physical signs such as stomach aches, headaches, scratching and bruising and damaged clothes.
• A shortage of money or frequent loss of possessions.

Action if bullying is suspected

The following action to help the victim and prevent bullying should be taken:

• All signs of bullying should be taken seriously.
• All children and young people should be encouraged to share their concerns.
• The victim should be helped to speak out and tell the person in charge or someone in authority.
• All allegations should be investigated and action taken to ensure the victim is safe. The victim and bully(ies) should be spoken to separately.
• Employees should reassure the victim that they can be trusted and will help them, but do not promise not to tell anyone else.
• Records should be kept of what is said.

The following action should be taken towards the bully(ies):
• The situation should be explained to the bully(ies).
• An effort should be made to get the bully(ies) to understand the consequences of their behaviour.
• An apology to the victim should be sought.
• Any items belonging to the victim should be returned.
• Encouragement to the bully(ies) to change their behaviour should be offered.
• Meetings should be held with parents or carers to report on progress.
• All appropriate employees should be informed of action taken.
• A written record of action taken should be kept.

Anti-bullying Policy

The Council is committed to a standard of individual and corporate behaviour that is respectful, courteous and just. The Council will not accept or condone any form of bullying within service led activities.
Updated Quick Reference Guide

The information below is available in a small credit card size to enable it to be used for easy reference. This is available from the Child Protection Link Officers and Human Resources.

Safeguarding children and vulnerable adults

Definition of a child
A child or young person under 18 years of age.

Definition of a vulnerable adult
A Vulnerable Adult is any person aged 18 years or over who appears to be eligible for Local Authority or mental health services by reason of mental illness, age or disability and may be unable to take care of themselves or protect themselves against significant harm or serious exploitation. Includes vulnerable adults who make arrangements for their own care and/or support.

Mental Health Issues
We all have mental health, like we all have physical health. Both change throughout our lives, and, like our bodies, our minds can become unwell. One in four of us will be affected by mental health issues in any year. Mental health problems cover a wide spectrum from mild stress-related symptoms, to severe acute conditions such as bipolar, depression, psychosis and schizophrenia.

The following can often be indicators that someone may need help: Suicidal thoughts, social withdrawal, delusions, paranoia, confusion, self-harm, marked mood swings, severe anxiety.

For more information on mental health see the intranet or pick up a ‘Rethink Mental Illness - SOS’ guide in one of our contact or leisure centres. For more immediate concerns, contact one of the Safeguarding Link Officers, or for employee concerns contact HR.

What is abuse? - some examples
• Physical – examples: physical assault, rough handling, shaking, throwing or unreasonable physical restraint
• Emotional – examples: emotional maltreatment such as conveying they are worthless or unloved, or preventing someone from interacting socially with others, it could be bullying or exploitation
• Sexual – examples: any non consenting sexual act or behaviour, inappropriate physical contact, involving children or vulnerable adults in pornographic materials, encouraging children to behave in sexually inappropriate ways
• Neglect – examples: failure to meet a child’s, young person’s or vulnerable adult’s basic physical and/or psychological needs, failing to provide adequate food and clothing, failing to maintain the child’s or vulnerable adults hygiene standards, inadequate supervision, unresponsive to the individual’s emotional needs
• Financial – examples: misappropriation of funds or action that is against the person’s best interest, theft of money or possessions, fraud or extortion

**Indicators of abuse - some examples**

- Unexplained or suspicious injuries such as cuts, bruises, burns or in unusual places or parts of the body
- An injury for which the explanation seems inconsistent
- The child/young person/vulnerable adult describes what appears to be an abusive act involving them
- Unexplained changes in behaviour
- Inappropriate sexual awareness
- Distrusting of adults
- Difficulty making friends
- Is prevented from socialising with others
- Becomes increasingly dirty or unkempt.

**How to respond to suspected abuse**

- React calmly
- Reassure the person that they were right to tell you
- Do not make promises of confidentiality, let the person know that you may have to tell another adult
- Keep questions to an absolute minimum and concentrate on listening
- Keep questions to Who? Where? When? What?
- Make a full written record of what they have said as soon as possible.

**How to report it**

The Council has a number of designated child and vulnerable adults protection link officers. These officers are the point of contact for any employee that needs to report any incidents or concerns they may have.

**At BDC the contacts are:**

- Paul Hackett, Executive Director - Transformation Tel: 01246 217543
- Lee Hickin, JAD - Leisure Tel: 01246 242225
- Dawn Clarke, JAD - Finance, Revenues & Benefits Tel: 01246 242214
- Alison Donohoe, Customer Services Manager Tel: 01246 242230
- Diane Bonsor, Housing Needs Manager Tel: 01246 593062
- Deborah Whallett, Housing Enforcement Manager Tel: 01246 593057
- Janice Barltrop, Human Resources Advisor Tel: 01246 217013

**At NEDDC the contacts are:**

- Paul Hackett, Executive Director - Transformation Tel: 01246 217543
- Lee Hickin, JAD - Leisure Tel: 01246 217218
- Dawn Clarke, JAD - Finance, Revenues & Benefits Tel: 01246 217658
- Carl Griffiths, Private Rented Sector and Housing Options Manager Tel: 01246 217625
- Rachel Pope, Customer Services Manager Tel: 01246 217544
- Janice Barltrop, Human Resources Advisor Tel: 01246 217013
- Tania Morrell, Senior HR Advisor Tel: 01246 217006

Or alternatively out of hours - you can call ‘Starting Point’ 24 hrs a day 7 days a week on; 01629 533190.
EMPLOYEE HAS CONCERNS ABOUT CHILD’S WELFARE

Employee discusses with designated CPLO + other senior colleagues as they think appropriate

Still have concerns

Employee refers to LA children’s social care, following up in writing within 48 hours

Social worker and manager acknowledge receipt of referral and decide on next course of action within one working day

No longer have concerns

No further child protection action, assess if needs a CAF – follow CAF procedure

Feedback to referrer on next course of action

No further LA Children’s social care involvement at this stage, although other action may be necessary e.g. onward referral

For referral where there are concerns about the welfare of a child or vulnerable adult

Agency:

Children’s Social Care | Call Derbyshire  
:----------------------: | :-----------------:  
  Derbyshire Constabulary – police call centre (24 hours) | 0845 605 8058  
  ************************ | 101
Good Practice Guidelines for Employees

Examples of how to create a positive environment when working with children and young people:

- Work in an open environment, avoid private or unobserved situations.
- Treat all children and young people with equal dignity and respect.
- Put the welfare, success and achievement of each child first, before the winning or achieving of goals.
- Make activities enjoyable and promote fair play.
- Maintain a safe and appropriate distance with children and young people.
- If physical contact is necessary for demonstrating skills etc, explain and discuss these actions with the person first.
- Recognise that caution is required especially when dealing with sensitive moments e.g. when dealing with bullying, bereavement or abuse.
- Keep up-to-date with technical skills, qualifications and insurance requirements.
- Be an excellent role model, this includes not drinking alcohol or smoking in the company of children and young people in any work related environment.
- Give constructive feedback rather than negative criticism.
- Recognise the development needs of the children and young people and avoid excessive training or competition.

Things to Avoid

You should NEVER allow or take part in any of the following:

- Engage in rough physical or sexually provocative games.
- Engage in or allow any form of inappropriate touching.
- Allow children and young people to use inappropriate language unchallenged.
- Make sexually suggestive comments to a child, even in fun.
- Reduce a child or young person to tears, as a form of control.
- Allow allegations made by a person to go unchallenged, unrecorded or not acted upon.
- Do things of a personal nature for a child or young person that they can do for themselves including things like applying sun cream
- Transport or take children or young people to their home unsupervised.
- Administer medication unless specifically trained and approved by the person’s parents to do so.
- Take a child or young person to the toilet unsupervised.

Control

Two types of simple control methods can be used in order to prevent injury to the child or young person, other children and young people or significant damage to property.
• Simple physical presence as control. This involves no contact e.g. standing in front of an exit.
• Holding or touching to persuade a child or young person to comply with verbal requests e.g. holding a person’s hand or using the shoulders to steer a person away from a situation.

Wherever possible steps should be taken in advance to avoid the need for these control methods through dialogue and diversion. If a situation is approaching the point where these methods will not or do not work or if the person is threatening or using violence then the police should be contacted immediately. If other children or young people are present in the area they should, if possible, be moved away from the situation.

**Procedure to be followed if these control methods are used**

• Notify your line manager immediately after the incident has occurred.
• Complete an incident report form (found on the Council’s intranet under Accident Reporting Policy providing details of the incident and submit a copy of this to your line manager.
• Complete an accident report form (found in the Council’s intranet under Accident Reporting Policy) if necessary and send this to the Health and Safety Officer.

Line managers should then:

• Ensure the report is comprehensive.
• Ensure that the parents of a child or young person are informed of the incident and are provided with a copy of the report (Appendix C)
• Arrange a meeting to discuss the incident with the employee within 24 hours of the incident if possible.
• Write up the meeting with the employee and obtain the employees signature to the accuracy of the discussion notes.
• Keep all records of the incident in a secure locked cabinet.
• Ensure further training to reduce the risk of this type of incident recurring is provided to the employee if appropriate. Training could include preventative measures and strategies.

Some specific posts and activities may need more detailed guidance. If employees have any concerns about the appropriateness of any practice or action, they should contact their line manager where possible or senior manager.
Recruitment and Employment

The Council's Policy on Recruitment and Selection must be followed for all appointments.

For the specific purpose of protecting young people and young people, the recruitment process incorporates the following steps:

i) all employees with responsibility for recruitment and selection shall receive appropriate training.

ii) all new posts/vacancies shall be subject to a risk assessment to determine whether and to what extent the post has access to children/young people.

iii) the risk assessment will determine whether a Disclosure and Barring Service (DBS) check is required (Appendix I).

iv) the nature and extent of access to children/young people will be clearly identified in the job description (Appendix J).

v) any DBS disclosure requirement will be clearly identified in the advertisement and candidate profile.

vi) the recruitment process will be based on the Council’s standard application form, including.

- Name, address and National Insurance number.
- Relevant experience, qualifications and training.
- Details of work history.
- Names and contact details of two referees.
- The specific question: ‘Do you have any unspent criminal convictions? If yes, please provide details.’

vii) any gaps/omissions must be covered at interview.

viii) once the successful candidate has been selected, his/her identity will be confirmed from official documentation (e.g. birth certificate, passport or driving licence).

ix) the appointment will not start until satisfactory references and DBS clearance has been received.

x) all appointments will be subject to a probationary period of employment and annual performance appraisal.

xi) DBS checks will be renewed in accordance with Council policy.

xii) The HR Section will maintain a record of DBS clearances.
Appendix G

Managing Work Experience Policy Guiding Principles and Procedures

Before a child or young person commences in a placement or work experience, managers will:

- Contact the Human Resource Section before any arrangements are put in place, or agreement is given, to offer a placement or work experience to a child or young person.
- Arrange for the referring organisation or individual to complete and return a Work Experience Application Form to the Human Resource Section.
- Carry out risk assessments of all activities to be undertaken by the child or young person.
- Inform the parents/guardian, child/young person and/or referring organisation of the risks and the measures in place to control them.
- Prepare a draft programme of activities to discuss and agree with the child or young person, and/or referring organisation before the start of the placement.
- Identify any restrictions placed on work activities.
- Determine the level of supervision required.
- Identify a named person responsible for the supervision.

On commencement in placement, managers will:

Ensure the following induction is covered on day one:

- Nature of the tasks to be undertaken.
- Issue and explain risk assessments in place relating to these tasks.
- Discuss the main hazards of the tasks and the environment, and the measures in place to control them.
- Fire and emergency safety – location of fire assembly point, extinguishers, and fire exits, evacuation procedures, bomb procedures.
- First aid facilities – first aiders and location of first aid box.
- Accident reporting procedure – how and who to report an accident or near miss to.
- Issue and explain relevant Safety Advice Notes.
- Give task specific instruction in manual handling.
- Undertake an assessment of the DSE and workstation, if appropriate.
- Issue and explain the use of personal protective clothing, if appropriate.
- Introduce supervisor, buddy, and other staff.
- Undertake tour of the premises and site, including kitchen and toilet facilities.

Following induction on day one, managers and those undertaking work experience will sign and date the Induction Checklist which should be forwarded to Human Resources, who will retain a copy on file. Further induction will take place over a number of days. Managers will also ensure those on a long term work placement also attend Corporate Induction.
Undertaking Risk Assessments

Under health and safety law, we must assess the risks to children and young people before they start in placement. We must also tell them what these risks are.

Risk assessments should be carried out in accordance with the document ‘Further Guidance – the Purpose of Risk Assessments’ using the Council’s standard risk assessment template. Managers will also need to take into account that children and young people may be:

- Inexperienced
- Lack training
- Mentally or physically immature

We should take specific account of:

- How the workplace is fitted and laid out.
- What type of equipment will be used and how will it be handled.
- How the work is organised.
- What training is needed to carry out the tasks safely.
- Any hazardous substances they may be exposed to.
- What are the risks from the work hazards.

Restrictions on work:

A child or young person must not undertake any tasks where a significant risk remains in spite of the best efforts made to take all reasonable steps to control it, for example:

- Work or tasks that cannot be adapted to meet any physical or mental limitations they may have.
- Exposure to substances which are toxic or cause cancer.
- Exposure to radiation.
- Works or tasks involving extreme heat, noise or vibration.

Training and supervision:

All children and young people undertaking work experience placements need to be trained to do the work without putting themselves and other people at risk. It is important to ensure that processes are in place to check that they have understood the training, which should cover:

- The hazards of the workplace.
- The control measures in place.
- A basic introduction to health and safety.
Children and young people will face unfamiliar risks from the job they will be doing and from their surroundings, and for this reason, may require more supervision.

**Managers will ensure:**

- The supervision of the child or young person at all times, including breaks.
- Clearly defined work tasks.
- Clear methods of working and safe instruction.
- A relevant training programme.
- Any work restrictions are clearly defined and checked that they have been understood.
CONSENT FORM FOR PHOTOGRAPHS OF CHILDREN AND YOUNG PEOPLE

A. Name of parent, carer or head teacher:

__________________________________________

B. Name of child/young person

__________________________________________

Home address (if required)
__________________________________________

School address (if required)
__________________________________________

Bolsover District Council would like to take photographs at a Council organised event/your child’s school (delete as appropriate). These photographs may appear in our printed publications, on our web site, or both.

Note to parent/carer: Before taking any photographs of the person named above, we need your permission. Please answer questions 1 and 2 below, then sign and date the form where shown. Please return the completed form to a Council Officer attending the event or send to the address at the bottom of this form.

Note to head teachers: If group photographs are organised and individual children cannot be easily identified, head teachers must find out whether any parents do not want their child to be in the photograph. In this instance we ask the head teacher to answer declaration 3 below and sign the consent form. Head teachers should return the completed form to the address shown below.

<table>
<thead>
<tr>
<th>To the parent/carer</th>
<th>Please circle</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. May we use the photograph of the person named in B above in printed publications produced by Bolsover District Council?</td>
<td>Yes/No</td>
</tr>
<tr>
<td>2. May we use the photograph of the person named in B above on our web site?</td>
<td>Yes/No</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>To the Head Teacher</th>
<th>Please circle</th>
</tr>
</thead>
<tbody>
<tr>
<td>3. Have you established, in writing, which parents are happy for their children to take part in photographs for use in Bolsover District Council’s printed publications or on its web site (or both)</td>
<td>Yes/No</td>
</tr>
</tbody>
</table>
Please note that web sites can be viewed throughout the world, not just in the United Kingdom where UK law applies.

This form is valid for four years from the date of signing. The Council will seek renewed consent if the photograph(s) are to be re-used after that time.

Signature: ____________________________ Date: ___________________

Please return this form to: APPROPRIATE SERVICE TO INSERT ADDRESS DETAILS

All personal information provided to Bolsover District Council will be held and treated in confidence in accordance with the Data Protection Act 1998. It will only be used for the purpose for which it was given.

Information provided will be shared with Derbyshire County Council in the interest of Child Protection.
POLICY ON CRIMINAL BACKGROUND CHECKS

1 Policy Statement

This policy applies to all employees of Bolsover District Council and includes both paid and volunteer positions.

The Council aims to promote equality of opportunity for all and welcomes applications from all members of the community.

The Council is committed to safeguarding the welfare of those accessing our services and has a statutory duty of care towards vulnerable members of society under the Safeguarding Vulnerable Groups Act (2006) and the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (Amendment) (England and Wales) Order 2013. However, this duty must be carried out with due regard to all other legislation including the Protection of Freedoms Act 2012, the Data Protection Act (1998) and the Human Rights Act (1998).

As an organisation using the Disclosure and Barring Service (DBS), formerly the Criminal Records Bureau (CRB), the Council fully complies with the DBS Code of Practice.

The Council recognises the importance of employment in the rehabilitation of ex-offenders and will only take criminal records into account for recruitment purposes when the conviction is relevant. After a certain length of time, some sentences are considered spent and must be disregarded. Unless the nature of the work means that a role is exempt, applicants are not required to disclose convictions which are spent under the Rehabilitation of Offenders Act 1974.

Having an unspent conviction will not necessarily bar applicants from employment.

2 Disclosure and Barring Service Code of Practice

2.1 Bolsover District Council complies fully with the Code of Practice issued by the Disclosure and Barring Service, ensuring that information released in disclosures is used fairly and handled and stored appropriately.

2.2 The subjects of disclosures should be reassured that the Council will not use disclosure information unfairly against them.
2.3 All employees involved in the disclosure process and in making employment related decisions are provided with guidance on employing people with convictions, legislative requirements and the DBS Code of Practice.

3. DBS Checks

For applicants who are offered employment in posts which require undertaking any form of regulated activity an Enhanced DBS Check must be undertaken and this must include a check to ensure that the successful candidate is not barred from working with children and/or adults in vulnerable circumstances.

Regulated activity is defined by the Safeguarding Vulnerable Groups Act 2006 as amended by the Protection of Freedoms Act 2012, and includes roles where individuals are required to work unsupervised with children or in a limited range of establishments with opportunity for contact with children; or working with adults providing healthcare, personal care, social work, assistance with cash, bills and/or shopping, assistance in the conduct of a person’s own affairs or conveying children or adults for particular reasons.

It is an offence for individuals on the Barred Lists to apply for posts in Regulated Activity. We will not employ someone to work in Regulated Activity with children if they have been barred through the DBS Children Barred List, or someone to work with vulnerable groups who are barred through the DBS Adult Barred List. In addition if the Council receives an application from a person for either paid or voluntary work who is barred from working with children or adults, the Council will make a referral to the DBS to notify them of the individual’s attempt to apply for barred work.

The minimum age that someone can have a DBS check is 16 years old.

4. Lead counter signatory and counter signatories

4.1 The Executive Director - Transformation will act as the council’s Lead Counter Signatory.

4.2 The following posts are Counter signatories:
- Linda Charity, Human Resources
- Helen Mitchell, Human Resources

4.3 The Lead/Counter signatories are cleared and registered with the DBS.
4.4 The Lead Counter signatory is a senior figure who has management responsibility for the use of the disclosure service and:

- Acts as the principal point of contact with the DBS.
- Validates Counter signatory application documents.
- Liaises with Counter signatories on the receipt of local police non-conviction information.

4.5 Counter signatories are responsible for:

- Ensuring that positions for which disclosures are requested are covered by the exceptions Order to the Rehabilitation of Offenders Act 1974, and disclosures are requested at the appropriate level.
- Countersigning applications and receive disclosures.
- Controlling the use of, access to and security of Disclosures.
- Ensuring compliance with the DBS Code of Practice.

5 Cost of Disclosure

The cost of the DBS Disclosure checks relating to appointments to Council posts will be met by the Council

Checks for volunteers are free. A volunteer is currently defined by the DBS as a person who performs an activity which involves spending time, unpaid (except for travelling and other approved out-of-pocket expenses), doing something which aims to benefit someone (individuals or groups) other than or in addition to close relatives.

6 Requesting a Disclosure

A disclosure is only requested for the successful candidate following the selection process.

Re-checks for existing employees who are subject to a DBS clearance should be completed every three years until ratification with the DBS Online Update Service.

As the DBS no longer issue Disclosure Certificates to organisations, when an individual receives their certificate from the DBS they must take it into HR and Payroll for verification. This applies to prospective employees as well as current employees.
7 Update Service

All existing employees who require an enhanced DBS check will need to subscribe to the online update service (DBS Online Update Service). This means that if an employee moves to another position within the Council, providing it is with the same workforce that is on their DBS certificate, they will not need another DBS check as the Council will be able to carry out an online status check to ensure that their disclosure is still valid. The online status check will be carried out on an annual basis.

For new applicants to the Council who already have an enhanced DBS certificate for the relevant workforce and who are signed up to the online update service, the Council will accept this disclosure and carry out an online status check to ensure that their disclosure is still valid.

If the online status check reveals a change in the disclosure status then a new DBS check will be required.

If existing or new employees are applying for a position within a different workforce - moving from adult workforce to children’s workforce or vice versa - then a new DBS check will be required.

The Council will reimburse employees the cost of the annual subscription to the online update service.

8 Spent or Unspent Convictions

If a disclosure or online status check reveals information about spent or unspent convictions which may make the individual unsuitable for the applied post, or continuing in their current post, the appointing or line manager, along with HR and Payroll, will discuss the situation with the individual in line with the DBS Code of Practice and through use and completion of a Checklist for Employees with Adverse Disclosures. The individual will be asked to sign the completed risk assessment to verify the information provided and give permission for the risk assessment to be stored securely and later destroyed in accordance with the policy on the secure storage, handling, use, retention and disposal of disclosures and disclosure information.
When assessing any disclosure or declared conviction information received, consideration will be given to a range of issues and the risk assessment will support a manager’s decision enabling them to assess the suitability of the applicant for their proposed position in light of matter(s) disclosed on their DBS certificate.

If a candidate has made a false declaration on their application form then the Council will not be able to confirm the appointment. If the disclosure certificate contains information that was not revealed by the candidate or additional information from the Police is received, it will be necessary to hold a further discussion with the candidate and undertake a further review against any risk assessment before deciding to confirm or withdraw the offer of employment. HR and legal advice should be sought at this point.

9 Security and Confidentiality

Disclosure information will be treated with the utmost confidentiality and will be kept in a secure place in line with the Data Protection Act. Access to disclosure information is restricted to only those individuals who have a requirement to see it in the course of their duties. Information will only be disclosed to third parties in exceptional circumstances and with the consent of the DBS.

10 Retention

Disclosures will be kept by the Council for a maximum of 6 months after a recruitment decision has been made. Disclosures will then be destroyed by secure means.

11 Disputes

If an employee believes that the information provided in a DBS check is inaccurate or incorrect, then it is the responsibility of the individual to raise this with the DBS. The Council will base any decision on the information provided by the DBS and this decision will be final.
12 Employees with Adverse Disclosures

Where existing employees, who have not been previously checked, or their post requires a re-check and subsequently have an adverse disclosure result, HR and Payroll will discuss this with the employee and relevant line manager. Legal advice may also be sought. It may be appropriate to move the employee to an alternative post with no access to children and/or vulnerable groups depending on the nature of the disclosures and pending the outcome of a full investigation. If there are no suitable duties the employee could undertake during this period which does not bring them into contact with children/vulnerable adults the manager will give consideration to suspending the employee on full pay pending the outcome of a disciplinary investigation.
Appendix J

Roles and Responsibilities to Safeguard Children

A range of local authority services has the potential to impact upon the lives of children and young people.

Staff, volunteers and contractors who provide the following services will have various degrees of contact with children and young people.

**Growth Directorate**

**Environmental Health**

Environmental Health services are regularly alerted to adverse situations.

- Environmental Health officers may become aware of conditions that impact adversely on a child or young people.
- Routine inspections in child care facilities and care homes may reveal abusive situations. Employees need to be especially aware of the risk of neglect, emotional abuse and domestic abuse.

**Transformation Directorate**

- Sport and leisure centres.

Appropriate arrangements and codes of practice are in place to report concerns about a child or young person in line with “What To Do If You Are Worried A Child Is Being Abused”. (www.dh.gov.uk/assessRoot/04/06/13/03/04061303.pdf)

**Operations Directorate**

**Housing Department**

Housing authorities that assess the needs of families requiring housing repairs or adaptations are a key link within the community.

- Housing employees in regular contact with families and tenants, have the opportunity to identify concerns.
- Homelessness employees play a front line emergency role managing re-housing or repossession when adults and children become homeless or at risk of homelessness as a result of domestic violence.
- All housing employees are well placed to observe situations that may warrant referral.

**Community Safety**

Employees involved with Anti-Social Behaviour working with children and young people liaise with other organisations to reduce unacceptable activities.
• The Community Safety Team should adopt a multi-agency approach in response to suspicions of abuse to children and young people.

**Street Scene**

Daily street maintenance requires employees to be amongst the community.

• Street cleansing teams should also be vigilant of abusive situations that may otherwise go unnoticed, and be aware of the referral procedure.
• Play facilities.
• Parks and gardens.
• Events and attractions.

**Revenues Section**

The Revenues section may be alerted to adverse situations in the following areas:

• Benefits visiting officers may become aware of conditions that impact adversely on a child or young person.
• Benefits employees may be alerted to adverse situations by telephone.
• Benefits employees may be alerted to adverse situations by processing Benefit applications.

**Voluntary, Private and Community Sectors**

Voluntary organisations, private and community sector providers working in partnership with the Council involving children and young people will be made aware of the Council’s Policy on Child Protection. Organisations that are grant aided will be encouraged to develop an appropriate policy as a condition of financial support.

**Councillors/Managers**

Cabinet will be responsible for approving the Child Protection Policy and for ensuring that it is reviewed regularly.

Senior Management Team will ensure that the policy is implemented by ensuring that:

• Child Protection Link Officers are nominated as required and allowed time to undertake relevant training as required
• Key front line Officers are identified to attend introductory sessions on safeguarding to increase their awareness of potential situations.

Incidents and concerns are monitored and reviewed and lessons learned are fed into subsequent revisions of the policy.
Appendix K

Key contact points

SAMT Lead Officer – Paul Hackett, Executive Director, 01246 217543

Child Protection Lead Officer – Deborah Whallett, Housing Enforcement Manager, telephone: 01246 593057

Adult Safeguarding Lead Officer, Diane Bonsor, Housing Needs Manager, telephone: 01246 593062

Child Protection Link Officers

Lee Hickin, Joint Assistant Director Leisure, telephone: 01246 217218

Alison Donohoe, Customer Services Manager Tel: 01246 242230

Janice Barltrop, Human Resources Advisor, telephone: 01246 217013

Melanie Osborne, Senior Parenting Practitioner, telephone: 01246 593024

Dawn Clarke, Joint Assistant Director Finance, Revenues and Benefits, telephone 01246 242214
HEALTHY, SAFE, CLEAN AND GREEN COMMUNITIES SCRUTINY COMMITTEE AGENDA

Tuesday 19th April 2016 at 1000 hours in the Council Chamber, The Arc, Clowne

Item No.   Page No.(s)

PART A – FORMAL
PART 1 OPEN ITEMS

1. **Apologies for Absence**

2. **Urgent Items of Business**

   To note any urgent items of business which the Chairman has consented to being considered under the provisions of Section 100(B) 4(b) of the Local Government Act 1972

3. **Declarations of Interest**

   Members should declare the existence and nature of any Disclosable Pecuniary Interest and Non Statutory Interest as defined by the Members’ Code of Conduct in respect of:

   a) any business on the agenda  
   b) any urgent additional items to be considered  
   c) any matters arising out of those items

   and if appropriate, withdraw from the meeting at the relevant time.

4. Minutes of a meeting held on 15th March 2016. 3 to 6

5. List of Key Decisions & Items to be Considered in Private. 7 to 11

   (NB: Members should contact the officer whose name appears on the List of Key Decisions for any further information).

6. Annual Review of the Community Safety Partnership 12 to 13

7. Safeguarding Adults Policy 14 to 52


9. **PART 2 – EXEMPT ITEMS**

   _The Local Government (Access to Information) Act 1985, Local Government Act 1972, Part 1, Schedule 12a (relevant exemption paragraph is cited next to the agenda item)._  

   Exempt – Paragraph 3

10. Call in of Executive Minute No. PROV 13 – Castle Leisure Park Options 99 to 112