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28 June 2016

S U M M O N S

MEETING: Policy and Organisation Board
DATE: 6 July 2016
TIME: 6pm
PLACE: Committee Room 1, Town Hall, Gosport
Democratic Services contact: Lisa Young

LINDA EDWARDS
BOROUGH SOLICITOR

MEMBERS OF THE BOARD

The Mayor (Councillor Mrs Hook) (ex officio)
Councillor Hook (Chairman)
Councillor Burgess (Vice-Chairman)

Councillor Allen	Councillor Foster-Reed
Councillor Bateman	Councillor Hicks
Councillor Carter	Councillor Hylands
Councillor Chegwyn	Councillor Jessop
Councillor Mrs Cully	Councillor Murphy
Councillor Edgar	Councillor Philpott

FIRE PRECAUTIONS

(To be read by the Mayor if members of the public are present)

In the event of the fire alarm sounding, please leave the room immediately. Proceed downstairs by way of the main stairs or as directed by GBC staff, follow any of the emergency exit signs. People with disability or mobility issues please identify yourself to GBC staff who will assist in your evacuation of the building.

IMPORTANT NOTICE:

- If you are in a wheelchair or have difficulty in walking and require access to the Committee Room on the First Floor of the Town Hall for this meeting, assistance can be provided by Town Hall staff on request

If you require any of the services detailed above please ring the Direct Line for the Democratic Services Officer listed on the Summons (first page).

NOTE:

- i. Councillors are requested to note that, if any Councillor who is not a Member of the Board wishes to speak at the Board meeting, then the Borough Solicitor is required to receive not less than 24 hours prior notice in writing or electronically and such notice shall indicate the agenda item or items on which the member wishes to speak.
- ii. Please note that mobile phones should be switched off or switched to silent for the duration of the meeting.
- iii. This meeting may be filmed or otherwise recorded. By attending this meeting, you are consenting to any broadcast of your image and being recorded.

AGENDA

RECOMMENDED
MINUTE FORMAT

1. APOLOGIES FOR NON-ATTENDANCE

2. DECLARATIONS OF INTEREST

All Members are required to declare, at this point in the meeting or as soon as possible thereafter, any disclosable pecuniary interest or personal interest in any item(s) being considered at this meeting.

3. MINUTES OF THE MEETINGS OF THE BOARD HELD ON 23 SEPTEMBER 2015 AND 19 MAY 2016

4. DEPUTATIONS – STANDING ORDER 3.5

(NOTE: The Board is required to receive a deputation(s) on a matter which is before the meeting of the Board provided that notice of the intended deputation and its object shall have been received by the Borough Solicitor by 12 noon on Monday 4 July 2016. The total time for deputations in favour and against a proposal shall not exceed 10 minutes).

5. PUBLIC QUESTIONS – STANDING ORDER 3.6

(NOTE: The Board is required to allow a total of 15 minutes for questions from Members of the public on matters within the terms of reference of the Board provided that notice of such Question(s) shall have been submitted to the Borough Solicitor by 12 noon on Monday, 4th July 2016).

6. SAFEGUARDING CHILDREN AND ADULTS POLICY 2016

The purpose of this report is to seek approval of a revised Safeguarding Children and Adults Policy and corresponding operational guidance to replace the existing policy and handbooks.

PART II
Julie
Petty

7. APPLICATION TO REGISTER AN ASSET OF COMMUNITY VALUE

To consider an application received to register a Public House (the Junction Tavern in Leesland Road) as an Asset of Community Value.

PART II
Mark
Simmonds

8. ANY OTHER ITEMS

which the Chairman determines should be considered, by reason of special circumstances, as a matter of urgency.

AGENDA ITEM NO. 6

Board/Committee:	POLICY AND ORGANISATION BOARD
Date of Meeting:	6 July 2016
Title:	SAFEGUARDING CHILDREN AND ADULTS POLICY 2016
Author:	CHIEF EXECUTIVE
Status:	FOR DECISION

Purpose

The purpose of this report is to seek approval of a revised Safeguarding Children and Adults Policy and corresponding operational guidance to replace the existing policy and handbooks.

Recommendation

That this Board approves the Safeguarding Children and Adults Policy in Appendix A and the Safeguarding Operational Guidance in Appendix B of this report.

1 Background

- 1.1 The current Safeguarding Children and Adults Policy and staff handbooks were last updated in 2012. Since then new legislation, updated guidance and protocols issued by the Hampshire Safeguarding Adults Board (HSAB) and the Hampshire Safeguarding Children's Board (HSCB) have prompted the need for a review and update of our in-house policy and protocols to ensure they are sufficiently robust to help protect vulnerable children and adults from forms of abuse and neglect.
- 1.2 A range of staff were involved in the review looking at in-house operational safeguarding protocols and issues, safeguarding training needs and provision, liaison and information sharing with partners, latest guidance issued by HSAB and HSCB, the incorporation of new Prevent Duty responsibilities under safeguarding from the Counter-Terrorism and Security Act 2015 and the wider understanding of human trafficking under the Modern Slavery Act 2015.
- 1.3 The new policy wording very much reflects the Council's commitment and responsibilities to safeguarding within a two-tier local authority structure. It references, but does not duplicate, the full multi-agency policy or protocols in Hampshire for adult and child safeguarding.

2 Report

- 2.1 The policy recognises the lead coordinating role of Hampshire County Council's (HCC) children's and adult social care services for safeguarding of children and adults.
 - 2.2 The main responsibilities for Gosport Borough Council staff and its representatives are to recognise and report any child or adult safeguarding concerns appropriately to the respective HCC services for responses compliant with their safeguarding policies. The safeguarding officer and deputy safeguarding officers have additional responsibilities to provide advice and guidance to staff about raising concerns and to coordinate reporting and follow up with HCC as appropriate to ensure safeguarding concerns raised are addressed. Full descriptions of the safeguarding roles and responsibilities for the safeguarding officer, deputy safeguarding officers and the rest of Council staff and its representatives are included in the policy.
 - 2.3 Capsule operational guidance provides succinct guidance to staff summarising key sections of the policy, including descriptions of abuse and safeguarding terms, the Quick Guide to Raising a Safeguarding Concern and reporting form. It can be a stand- alone easy reference guide, but dovetails with the full policy.
 - 2.4 A dedicated Safeguarding portal on the Infonet has been created to provide a handy central location for the Council's safeguarding policy, capsule guidance, reporting form and will contain links to other useful resources such Safeguarding Adults and Safeguarding Children Board protocols and learning tools.
 - 2.5 The portal provides a central location for the Council's Prevent Duty information, action plan and other Prevent awareness tools and resources. Implementation of the Prevent Duty is monitored by the Home Office and a central location for Safeguarding and Prevent information and resources demonstrates the Council's commitment to these important statutory duties. Resources will still be available offline to staff and representatives who cannot access the Infonet.
- The Council's Safeguarding Group will evaluate the impact of this
- 2.6 policy annually and help ensure it remains robust. The group should ensure adherence to current legislation and guidance, share feedback on safeguarding experiences to improve corporate learning tools, and monitor reporting and outcome statistics to help identify any trends, training needs or procedural changes.
- An Equality Impact Assessment (EIA) has been completed for this
- 2.7 policy and been successfully reviewed by the Council's Equality & Diversity Steering Group (EDSG) to ensure this policy does not

discriminate against any group of people. The EIA is in Appendix C to this report.

3 Risk Assessment

- 3.1 The provision of clear and robust Safeguarding policy and protocols and trained staff to implement them compliant with current legislation and guidance is a statutory requirement on local authorities and good practice is monitored by the Hampshire Safeguarding Adults Board (HSAB) and the Hampshire Safeguarding Children's Board (HSCB).
- 3.2 Everyone within the Council has some safeguarding responsibilities to identify vulnerable children and adults who are at risk of abuse or who are suspected of being abused and to report concerns promptly and appropriately. Failure to provide these and monitor their effectiveness can result in failure to protect vulnerable people and could result in significant harm to them. Failure to train and support staff and representatives to understand signs of potential abuse and how to report concerns appropriately exposes them and the Council to risks for not discharging this statutory responsibly.
- 3.3 Annual review of this policy and its guidance will help to ensure it remains robust and compliant with the latest legislation and good practice.

4 Conclusion

- 4.1 The proposed updated Safeguarding Children and Adults Policy 2016, revised operational guidance and other tools and resources as described in this report are the result of the review of statutory safeguarding guidance, best practice examples, recent legislation requirements and feedback from staff on their experiences of reporting safeguarding concerns.
- 4.2 Regular review and monitoring internally of this policy, ongoing training and awareness raising of safeguarding issues and liaison with our partners to maintain good interagency communication around reporting and response protocols will demonstrate the Council's ongoing commitment to robust safeguarding practices to help protect vulnerable children and adults from all forms of abuse.

Financial Services comments:	None
Legal Services comments:	Contained in the report
Crime and Disorder:	
Equality and Diversity:	The EIA is attached as Appendix C.
Service Improvement Plan implications:	
Corporate Plan:	Contained in the report
Risk Assessment:	
Background papers:	Safeguarding Children and Vulnerable Adults Policy June 2012
Appendices/Enclosures:	
Appendix 'A'	Safeguarding Children and Adults Policy 2016
Appendix 'B'	Safeguarding Operational Guidance
Appendix 'C'	EIA for Safeguarding Children and Adults Policy
Report author/ Lead Officer:	Julie Petty, Head of Corporate Policy and Community Safety



GOSPORT
Borough Council

**SAFEGUARDING
CHILDREN AND ADULTS
POLICY**

with

Quick Guide to Raising a Safeguarding Concern

March 2016

Gosport Borough Council is committed to equal opportunities for all:

If you need this document in large print, on tape, CD, in Braille or in other languages, please ask.

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Quick Guide to Raising a Safeguarding Concern

1. Raising a concern means passing on a concern, suspicion or allegation of potential abuse, neglect or harm. If you are unclear whether raising a concern is warranted, discuss the situation with the Council Safeguarding Officer, Mark Simmonds, or one of the Deputy Safeguarding Officers, Justine Manning or Alan Howsam.
2. The Safeguarding Officer or you can also seek advice from Hampshire Safeguarding Adults' Advice Line on **01962 847214** or the Children's Advice Line on **01329 225379** during daytime office hours. Out of hours numbers are listed below to call if you feel any child or adult is at risk of immediate harm.
3. If you are unclear about the advice given by the Hampshire Advice Lines at the time or feel your concerns have not been addressed, please seek clarification through the Safeguarding Officer who can help ensure all safeguarding concerns are referred for assessment by Social Care Services. If you are in any doubt, a safeguarding concern should still be made and include as much information as possible. Send as directed below to ensure it will get assessed by either Children's or Adult Services who have the primary duty to assess potential safeguarding concerns.
4. To report any safeguarding concerns you should:

Safeguarding Adults	Safeguarding Children
<ul style="list-style-type: none"> • Call Adult Services during office hours on 0300 555 1386 or • If out of hours call 0300 555 1373. • Notify the GBC Safeguarding Officer you have raised a concern AND • Complete the alert form as fully as possible and email it within 24 hours to: asprofessional@hants.gov.uk • Ensure the form is also sent to: safeguarding@gosport.gov.uk so that the Safeguarding Officer has a copy of the concern raised. 	<ul style="list-style-type: none"> • Call Children's Services during office hours on 0300 555 1384 or • If out of hours call 0300 555 1373. • Notify the GBC Safeguarding Officer you have raised a concern AND • Complete the alert form as fully as possible and email it within 24 hours to: csprofessional@hants.gov.uk • Ensure the form is also sent to: safeguarding@gosport.gov.uk so that the Safeguarding Officer has a copy of the concern raised.

5. Call 999 if a child or adult is in **immediate** danger or at risk of **immediate** harm.
6. If you think a crime may have been committed call 101.
7. Adult or Children's Services should acknowledge receipt of a written Concern within one working day. If you have not received an acknowledgement within three working days, alert the Safeguarding Officer who will contact the manager of the social care team again. Feedback on the outcome of a Concern should be provided to the referrer, including where no further action is to be taken.

POLICY STATEMENT

Gosport Borough Council believes all people have the right to live and work in an environment free from the threat of abuse, harassment, exploitation, violence or aggression and to be treated with dignity and respect.

The Council recognises and is committed to fulfilling its duties to safeguard and promote the well-being of children, under Section 11 of the Children Act 2004 and to safeguard and promote the well-being of adults, under Sections 42-47 of the Care Act 2014.

The Council recognises and is committed to fulfilling its duties to prevent people from being drawn into terrorism under the Counter-Terrorism and Security Act 2015 and to help safeguard those vulnerable to extremism.

The Council also recognises and is committed to fulfilling its duties to identify signs of modern slavery and human trafficking, help to safeguard suspected victims under the Modern Slavery Act 2015 and to report concerns.

The Council will take all suspicions of abuse or poor practices seriously and respond to them appropriately in accordance with the guidance and procedures identified in this document.

The Council will ensure that its representatives are appropriately recruited, trained and supported and that robust procedures are in place to ensure the safety and well-being of children and young people and adults.

The Council recognises that all people have rights and responsibilities as individuals. All people will be treated fairly and with respect, regardless of age, sex, race, disability, gender re-assignment, religion or belief, sexual orientation, marriage or civil partnership, pregnancy or maternity or social class.

I SAFEGUARDING CHILDREN AND ADULTS POLICY

1.0 Introduction

- 1.1 This policy sets out Gosport Borough Council's (referred to in the policy as 'the Council') commitment and approach to the protection of children and young people and to adults aged 18 or over.
- 1.2 This policy outlines the safeguarding roles and responsibilities for the Council's representatives and officers to respond in support of children and adults.
- 1.3 This policy also outlines the roles and responsibilities for the Council's representatives and officers under the Prevent Duty of the Counter-Terrorism Act 2015 to identify and refer for support those children and adults who may be susceptible to being drawn into terrorist activity and to identify and refer for support under the Modern Slavery Act 2015 those who may be victims of modern slavery or at risk of such exploitation.
- 1.4 This policy also takes into account current and emerging legislation, guidance and best practice when reviewing this policy annually to ensure its procedures and guidelines remain up to date.

2.0 Purpose

- 2.1 The purpose of this policy is to:
 - help protect and safeguard children, young people and adults from abuse, neglect, poor practices and exploitation
 - help protect and safeguard those who might be susceptible to radicalisation at an early stage and who are often drawn into criminal activity which may affect their life prospects
 - help protect and safeguard those who may be victims of modern slavery or human trafficking or at risk of becoming victims
 - raise awareness of and promote the safeguarding responsibilities of Council representatives and officers to protect them from being misunderstood or their actions being misinterpreted and minimise the risk of abuse and poor practices.

3.0 Scope and Definition

- 3.1 Local authorities with social services responsibilities have the lead co-ordinating role for safeguarding children and adults at risk of abuse, neglect or exploitation. This policy recognises the lead safeguarding role of Hampshire County Council's (HCC) children's and adult social care services. Guidance on recognising those who may be at risk of abuse, neglect or exploitation can be found on the links to the respective HCC Safeguarding Children and Safeguarding Adults webpages cited below. <http://www3.hants.gov.uk/child-protection> and <http://www3.hants.gov.uk/workforce-development/safeguarding-workforce.htm>
- 3.2 This policy sets out the roles, responsibilities and procedures for Gosport Borough Council, within a two-tier local authority, for identifying and reporting any child or adult safeguarding concerns to the respective HCC services for responses compliant with their safeguarding policies. This is known as raising a safeguarding Concern.
- 3.3 Every Council member of staff, elected member, contractor, volunteer and anyone working on behalf of and/or representing the Council should, as a minimum, be aware of this policy statement and know how to report any safeguarding concerns.

- 3.4 Those who have access to, or come into contact with, children and young people and adults must comply with the guidance and procedures contained within this policy.
- 3.5 For the purpose of this policy a child or young person refers to anyone who has not yet reached their 18th birthday. An adult is a person aged 18 or over.
- 3.6 Child Safeguarding is concerned with children defined as children in need and children at risk of significant harm under Section 17 of the Children Act 1989. A child shall be taken to be in need if:
- the child is unlikely to achieve or maintain, or to have the opportunity of achieving or maintaining, a reasonable standard of health or development without the provision of services by a local authority under Part III of the Children Act 1989
 - the child's health or development is likely to be significantly impaired, or further impaired without the provision of such services; or
 - the child is disabled.
- 3.7 The Children Act 1989 introduced the concept of significant harm as the threshold that justifies compulsory intervention in family life in the best interests of children, and gives Local Authorities a duty under Section 47, to make enquiries to decide whether they should take action to safeguard or promote the welfare of a child who is suffering, or likely to suffer, significant harm.
- 3.8 The Act defines significant harm as:
- physical, mental or sexual ill treatment
 - physical or mental impairment of health
 - physical, behavioural, emotional, intellectual or social impairment of development.
- 3.9 Adult Safeguarding is concerned with adults who due to their circumstances are defined as people with needs of care and support who are experiencing or who are at risk of abuse, neglect and exploitation. Safeguarding means protecting an adult's right to live in safety, free from abuse and neglect, while at the same time promoting their wellbeing and including where appropriate having regard to their views, wishes, feelings and beliefs in deciding any action.
- 3.10 The Council recognises and accepts that organisations with whom it works in partnership may have their own child and adult safeguarding policies and procedures with which their staff, volunteers and representatives must comply. Where internal policies of an equivalent standard are not already in place, they will be expected to comply with the guidance and procedures contained within this policy.
- 3.11 Those policies affecting children must be consistent with the 4 Local Safeguarding Children Board (4LSCB) Procedures for Child Safeguarding and those affecting vulnerable adults must be consistent with the Safeguarding Adults Multi-Agency Policy 2015 and procedures which cover Hampshire, Southampton, Portsmouth and the Isle of Wight. More details are contained in the 4 Local Safeguarding Children Boards procedures on <http://www.4lscb.org.uk/> and the Hampshire Safeguarding Adults Multi-Agency Policy 2015 <http://www.hampshiresab.org.uk/professionals-area/safeguarding-adults-policy-and-procedures-2013/>

- 3.12 All existing and new contracts let by the Council which involve services for children and/or adults will include a copy of this policy and appropriate reference to complying with it or producing evidence of having equivalent safeguarding procedures in place. Evidence is requested at point of tender and will be monitored at periodic intervals as set out in the Council's procurement approach.
- 3.13 The Council will not grant aid or grant funds to any not for profit organisation or group working with children or adults unless the recipient has equivalent safeguarding procedures in place. This will be checked on application. Where these procedures are not in place, the Council will signpost them to information and resources to help them develop appropriate policies and procedures and to access relevant training.

4.0 Council Safeguarding Roles & Responsibilities

- 4.1 The Council has a lead Safeguarding Officer and two Deputy Safeguarding Officers to help ensure Council staff and representatives have access to information, advice and support when they have any safeguarding concerns about children or adults and to report such concerns appropriately.
- 4.2 The Safeguarding Officers are available during regular office hours. Office hours and out of hours support is available through the HCC Children's Services and Adult Services numbers and through specific Safeguard Advice Lines as detailed in the Quick Guide to Raising a Safeguarding Concern on Page 3.
- 4.3 The responsibilities of the Council's Safeguarding Officer and Deputies are to:
- maintain own up-to-date training on Safeguarding Children and Safeguarding Adults to the level required to fulfil the role of Safeguarding Officer
 - be aware of the statutory and non-statutory guidance and procedures for safeguarding children and adults
 - provide advice and guidance on children/young people protection issues and on adult protection issues
 - be aware of local Child and Adult Protection agencies, their contact information and know who to contact to seek professional advice and / or make a formal referral
 - liaise with local agencies, Children's or Adult Services or the Police, as appropriate
 - receive and record safeguarding information from Council representatives, children, young people, parents, carers or adults, their carer and other agencies
 - assess information and, where appropriate, promptly refer safeguarding concerns to appropriate Social Services Unit and/or the Police, providing a written report within 24 hours.
- 4.4 The Safeguarding Officer, in addition, has the lead safeguarding responsibility to:
- co-ordinate the Council's response to requests for assistance from the Local Safeguarding Children's Board with Serious Case Reviews and other matters as required
 - co-ordinate the Council's response to requests for assistance from Adult Protection Agencies as required
 - co-ordinate the Council's responsibilities where actions are required, either by the Council alone or as part of a multi-agency approach in response to incidents
 - be responsible for escalating case oversight to the most senior officer undertaking the social care function within HCC child and adult services where actions have not been undertaken or appear to have been ineffective

- prepare and submit a report to the Council Management Team regarding any urgent protection matter relating to the Council's business
- where appropriate, in consultation with Gosport Council Personnel Services, assist with the preparation of information for use in any relevant disciplinary procedures in relation to reported incidents of abuse, neglect or poor practices of Council staff
- together with Personnel Services, ensure affected staff members receive appropriate support and/or counselling as required
- produce written reports for submission to Children's or Adult Services, Police or the Head of Personnel/relevant manager as required
- maintain confidential records of all reported incidents of suspected abuse or poor practice(s) in accordance with the Council's Data Protection Policy and guidance contained in "Procedures for managing allegations against people who work with children"
- submit reports to the Safeguarding Group, containing non-confidential information for policy monitoring and improvement purposes.

4.5 Council Staff and its representatives have the following safeguarding responsibilities, to:

- respond swiftly and appropriately to any allegations or suspicion of safeguarding issues following the latest guidance and procedures issued by the Council
- work in partnership, or share information, with other agencies to safeguard children, young people and adults as described in the Council's Safeguarding Policy and Guidance
- adopt and adhere to good working practices to ensure their safety at all times and to understand the potential risks to them, as described in latest safeguarding guidance and procedures issued by the Council
- when in doubt, share concerns and seek advice on any suspected safeguarding issue and seek clarification on any advice received which may seem unclear or inadequate
- undertake appropriate safeguarding and any other relevant training and employment checks as categorised by the job role or contract.

5.0 Employment of Those Working with Children and/or Adults

- 5.1 The Council carries out checks to the Baseline Personnel Security Standard for all new staff, i.e. identity, eligibility to work in the UK, references and previous three years of employment, basic criminal record disclosure, qualifications.
- 5.2 For appropriate posts, where work involves contact with children/young persons and/or adults, a standard or enhanced criminal record disclosure is undertaken. The initial categorisation is carried out by the relevant manager at the time the job is analysed prior to the recruitment exercise being undertaken and the categorisation is included in the form requesting permission to fill the post and on the job description. The relevant duties and responsibilities are incorporated within the job description and the requirements for knowledge/experience within the person specification.
- 5.3 The Council undertakes standard/enhanced criminal record checks through the DBS (Disclosure and Barring Service) using an umbrella body for that purpose. Gosport Borough Council's Personnel Section is responsible for ensuring that the check is lawful in accordance with the Rehabilitation of Offenders Act 1974.

- 5.4 In addition to the security checks, the recruitment and selection process is designed to ensure suitability for the type of work involved in each post through the use of interviews and associated tests/exercises as appropriate.
- 5.5 The Council will not employ anyone, who may come into contact with children or adults through their employment, where material revealed through the selection and vetting processes indicates that they may present a child/adult protection risk. In considering decisions in relation to any such material, the manager and/or Personnel representative will liaise with the designated Safeguarding Officer.
- 5.6 The identification of training needs is carried out by each manager, who will ensure that training appropriate to the role, including any necessary specialist training related to working with children/young people and/or adults, is provided. All staff are required to complete and regularly refresh training in health and safety, equality and diversity, and also in safeguarding for those with contact with children/young people/adults.
- 5.7 Other training needs, including any additional more specialist safeguarding training, are identified for new staff through the induction process, and for current staff through normal management channels and more specifically through the six-monthly personal review process.
- 5.8 In the assessment of either key competencies in recruitment processes or assessing training needs for those who work with children, families or young people, managers will have due regard to relevant Government guidance, including 'Core Competencies Skills and Knowledge' available as a download from <https://www.education.gov.uk/publications/standard/publicationdetail/page1/DfES/1081/2004>
- 5.9 All staff are bound by the Council's Code of Conduct.
- 5.10 The Council policies and procedures listed below are given full consideration in relation to employment involving contact with children, young persons and adults:
- Equality and Diversity Policy
 - Code of Practice on Recruitment and Selection
 - Policy on the Employment of Ex-Offenders
 - Security Policy for the Correct Handling and Safe Keeping of Disclosure Information
 - Safeguarding Children and Vulnerable Adults Policy
 - Induction Procedure
 - Learning and Development Policy and procedures
 - Personal Review procedures
 - Whistleblowing Policy
- 5.11 In the event of a complaint against a member of staff, whether it be an allegation or a concern about quality of care or practice, this would be reported to the employee's senior manager without delay; a full investigation would be carried out by an officer independent of the employee's Section, to be completed as soon as possible but without prejudice to the proper undertaking of the investigation, who would submit a report on that investigation to the relevant senior manager, so that a decision could be made on any appropriate action. Depending on the nature of the complaint and any potential risks to those with care and support needs within their area of responsibility, the officer may be suspended whilst the investigation takes place; this and any subsequent action would be taken in accordance with the Council's Disciplinary Procedure. In such circumstances, the officer has recourse to a Trade Union representative or other adviser of their choice, and can also obtain advice

from the Council's Personnel Section. In appropriate circumstances, a referral would be made to the Disclosure and Barring Service.

6.0 Implementation of this Policy

6.1 This Policy will be implemented through the general guidance and procedures in this document and through any subsequent guidance and procedures issued by the Council.

Other key documents informing this Policy and its implementation include:

- Statement of Commitment to Equality and Diversity 2015
- Equality and Diversity in Employment Policy
- Code of Practice on Recruitment and Selection
- Code of Conduct for Employees
- Whistleblowing Policy
- Learning and Development Policy
- Data Protection Policy
- Procurement Procedures
- Health and Safety Policy
- Disciplinary and Grievance Procedures
- Accommodation and Services for Older People
- Complaints Procedure
- Hate Crime reporting procedure

6.2 The Policy will also be delivered through a corporate Safeguarding Group, the membership of which will include:

- Head of Legal Services
- Safeguarding Officers
- Corporate Policy and Community Safety Officer
- Personnel representative
- Other staff representatives

7.0 Monitoring and Review

7.1 The Safeguarding Group will review, evaluate and amend this Policy annually as needed taking into account the following:

- adherence to current legislation and guidance
- new or amended legislation and guidance since last review
- whether aims of the policy were met
- feedback from children, young people, vulnerable adults, parents/carers, Council representatives and Officers
- feedback from voluntary, community and statutory organisation partners
- assessment of the overall impact of the policy
- review of reporting and outcome statistics to identify any trends, training needs or procedural changes.

7.2 Council Management Team (CMT) will monitor the effectiveness of the Council's safeguarding arrangements, and to this end, will be provided with annual updates from the Safeguarding Group.

7.3 CMT will take such action as necessary to address any issues raised in the annual report of the Safeguarding Group or other additional reports prepared by the Safeguarding Officer.

II SAFEGUARDING CHILDREN

1.0 Background

- 1.1 The Hampshire Safeguarding Children Board (HSCB) is the statutory body which co-ordinates, monitors and challenges local authorities in safeguarding children across Hampshire. Safeguarding children procedures are covered by the 4LSCB Procedures agreed across the Hampshire, Isle of Wight, Portsmouth and Southampton local authorities
<http://www.hampshiresafeguardingchildrenboard.org.uk>
- 1.2 All local authorities have overarching responsibility for safeguarding and promoting the welfare of all children and young people in their area who have not yet reached their 18th birthday. They have a number of statutory functions under the 1989 and 2004 Children Acts. Local agencies, including the Police and health services, also have a duty under section 11 of the Children Act 2004 to ensure that they consider the need to safeguard and promote the welfare of children when carrying out their functions.
- 1.3 Housing, homelessness and environmental health services in local authorities are examples of services subject to the section 11 duties. Officers working in these services may become aware of conditions that could have an adverse impact on children. Under Part 1 of the Housing Act 2004, authorities must take account of the impact of health and safety hazards in housing on vulnerable occupants, including children, when deciding on the action to be taken by landlords to improve conditions. Housing authorities also have an important role to play in safeguarding vulnerable young people, including young people who are pregnant, leaving care or a secure establishment.
- 1.4 Effective safeguarding arrangements in every local area should be underpinned by two key principles:
- safeguarding is everyone's responsibility – services can only be effective if each person and organisation plays their full part
 - a child centred approach – services can only be effective if they are based on a clear understanding of the needs and views of children.

2.0 Duty to Raise a Concern

- 2.1 As detailed in the 4LSCB Procedures under Duty to Notify, all professionals, employees, managers, helpers, carers and volunteers in all agencies must raise a Concern to Children's Services if it is believed or suspected that:
- a child is suffering or is likely to suffer Significant Harm from abuse or neglect
 - a child would be likely to benefit from family support services with agreement of a person who has Parental Responsibility.
- 2.2 A Concern must be raised even if it is known the Children's Services are already involved with the child or family.
- 2.3 Definitions of abuse, neglect and other safeguarding related terms can be found in Appendix 1 of this policy.
- 2.4 Where there are concerns about significant harm, then the report must be made immediately. When in doubt, concerns must always be shared. The greater level of perceived risk, the more urgently the referral should be made following the

procedures in the Quick Guide to Raising a Safeguarding Concern on Page 3 or on the Safeguarding Concern Form in Appendix 2.

- 2.5 Procedures for ensuring immediate safety are more fully described in Section 4 of the 4LSCB procedures, but are summarised as follows:
- medical attention should be sought immediately for any child suffering from a serious injury or requiring treatment by calling an ambulance for transporting to the Accident and Emergency department of a local hospital. The duty Consultant Paediatrician must be informed by the social care worker of the nature of the concerns and a safeguarding Alert made
 - the Police (999) should be called if any child needs immediate protection and then a safeguarding Alert made to Children's Services
 - consider whether an Alert is required to safeguard and protect any other children in the same household, or related to the household or the household of the alleged perpetrator or elsewhere.

3.0 Disclosure by Child and by Third Parties

- 3.1 If a child makes an allegation or discloses information freely which raises concern about significant harm, the 4LSCB Procedures advise that the initial response should be to:
- remain calm and not show shock or disbelief
 - demonstrate a sympathetic approach
 - listen carefully to what s/he is saying in order to clarify the concerns
 - offer reassurance about how s/he will be kept safe
 - explain the information will be passed [on to](#) Children's Services and/or the Police.
- 3.2 If the child has an injury, but no explanation is volunteered, it is acceptable to ask how the injury was sustained. However, children should not be pressed for information or asked to repeat or write information down.
- 3.3 It must be stressed that only the Police or Children's Services can initiate or authorise safeguarding investigations. All others have a duty to raise safeguarding concerns to them so that appropriate responses can be made by those authorised to do so.
- 3.4 A suspicion or allegation of child neglect or abuse may be based on information from a range of third party sources- a member of the public, another child, a relative of the child concerned or other professionals, for instance. Concerns may relate to a single incident or represent an accumulation of lower level concerns.
- 3.5 If the harm is alleged to have been caused by another child, then the suspected perpetrator and the victim must both be referred under a safeguarding Concern.
- 3.6 If the allegation relates to a parent, professional, volunteer or anyone working with the child, consideration must also be given to whether other children could also be at risk. If in any doubt, share such concerns in the safeguarding Concern.
- 3.7 If an allegation involves a member of Council staff or any of its representatives harming a child through neglect or abuse, then follow the Quick Guide procedure for reporting a current concern.
- 3.8 If there are concerns about the behaviour of a member of Council staff or its representatives with children, but they do not suggest a child has been harmed,

then report concerns to the Council's Safeguarding Officer and the individual's Line Manager.

4.0 Raising a Child Safeguarding Concern

- 4.1 Discuss your concerns with the Council Safeguarding Officer or one of the Deputy Safeguarding Officers. They can help you decide whether or not a concern should be made if you are unsure.
- 4.2 A Safeguarding Officer, or you, can also seek advice from the Hampshire Safeguarding Children's Advice Line on **01329 225379** during daytime office hours.
- 4.3 If you are unclear about the advice given by the Advice Line about raising a Concern or feel your concerns have not been addressed, please seek clarification through the Safeguarding Officer or a Deputy Safeguarding Officer who can liaise with HCC Social Care Services directly to help ensure all safeguarding concerns are referred for their assessment.
- 4.4 In general, concerns about a child or children should also be discussed with the family if the officer feels it appropriate for them to do so and, where possible, the family's consent to making a referral should be sought. However, consent should not be sought if this would cause a delay or prompt a response or situation that could place a child or children at increased risk of significant harm. If in any doubt, a safeguarding alert should be made with as much information as possible to ensure it will get assessed by Children's Services who have the primary duty to assess potential safeguarding concerns.
- 4.5 You or a Safeguarding Officer can call Children's Services **during office hours on 0300 555 1384** to raise a Concern. You can raise a Concern **out of hours on 0300 555 1373**.
- 4.6 You may find it helpful to have completed the Concern form as fully as possible before the call is made to ensure all of the relevant information about your safeguarding concern is relayed to the social care professional on the phone. Make note of the name of the social care officer and time of the call.
- 4.7 Complete the Concern form as fully as possible and email it within 24 hours to: csprofessional@hants.gov.uk along with the name of who you spoke to and the time you called and send a copy to safeguarding@gosport.gov.uk so that a secure record of the Concern can be kept by the Safeguarding Officer for follow up.
- 4.8 Call **999** if a child is in immediate danger or at risk of immediate harm.
- 4.9 If you think a crime may have been committed call 101.

5.0 Following up a Child Safeguarding Concern

- 5.1 The duty social worker for Children's Services should acknowledge receipt of a written Concern within one working day of receiving it. The response will be sent to the person who made the Concern.
- 5.2 If the response has come back to the Council member of staff or representative, s/he must inform the Safeguarding Officer the acknowledgement has been received and any response taken by Children's Services. If the acknowledgment has been received by the Safeguarding Officer, they will record the response and share it with the referring officer who can then share it with the child/ family if deemed appropriate.

- 5.3 If the referring officer has not received an acknowledgement within 3 working days, the Safeguarding Officer will contact Children's Services social care again to follow up the Concern.
- 5.4 Feedback on the outcome of a Concern should be provided to the referring officer, including where no further action is being taken.
- 5.5 If the referring officer feels a safeguarding issue has not been sufficiently addressed or if concerns about the child/ children persist or worsen, they should seek advice from the Safeguarding Officer on whether or not another Concern should be raised.

III SAFEGUARDING ADULTS

1.0 Background

- 1.1 The Care Act 2014 created a new legal framework for how local authorities and other agencies should work together to protect adults at risk of abuse or neglect. Section 42 of the Care Act 2014 requires local authorities to make enquiries or to ask others to make enquiries where they reasonably suspect that an adult in its area is at risk of neglect or abuse. The statutory safeguarding duty applies when an adult with care and support needs is experiencing or is at risk of abuse or neglect and, as a result of those needs, is unable to protect him/ herself.
- 1.2 The Mental Capacity Act 2005 is central to understanding safeguarding procedures for adults. People must be assumed to have capacity to make their own decisions and be given all of the practical help they need before being considered not to have the mental capacity to make their own decisions. Where an adult is found to lack the mental capacity to make a decision, then any action taken or any decision made for them or on their behalf must be made in their best interests.
- 1.3 The Mental Capacity Act 2005 is based on the following principles which all Council staff and representatives should be aware of in meeting their safeguarding responsibilities under this policy:
 - presumption of mental capacity
 - helping and encouraging people to make their own decisions
 - respecting that people are entitled to make unwise decisions
 - any decision made for a person without capacity must be made in their best interests
 - the least restrictive option must always be adopted.
- 1.4 The Safeguarding Adults Multi-Agency Policy 2015 and procedures cover adult safeguarding for Hampshire Districts, Isle of Wight, Portsmouth and Southampton local authorities. The Hampshire Adult Safeguarding Board (HSAB) provides strategic leadership for adult safeguarding across all the local authorities in Hampshire <http://www.hamshiresab.org.uk>.
- 1.5 Definitions and examples of abuse, neglect and other safeguarding related terms can be found in Appendix 1 of this policy. Abuse of an adult at risk may consist of a single act or repeated acts affecting more than one person. It may occur as a result of a failure to take action or appropriate care tasks. It may be an act of neglect or an omission to act. Abuse and neglect can occur in any relationship and in any setting and can result in significant harm or exploitation of an individual and may also be a criminal offence.

1.6 A range of factors can increase an adult's vulnerability to abuse, neglect and exploitation. The Hampshire Safeguarding Adults Board includes the following factors:

- not having mental capacity to make decisions about their own safety, including fluctuating mental capacity associated with mental illness and other conditions
- communication difficulties
- being dependent on others for personal care and activities of daily life
- low self esteem
- experience of abuse
- childhood experience of abuse
- being cared for in a care setting that is more or less dependent on others
- not getting the right amount or the right kind of care that they need
- isolation and social exclusion
- stigma and discrimination
- lack of access to information and support
- being the focus of anti-social behaviour

2.0 Duty to Raise a Concern

2.1 The safeguarding duty does not depend on the adult's eligibility for services. The duty requires whatever enquiries are necessary in order to decide whether any further action is necessary. The duty to raise a safeguarding Concern does not hinge on a request by the adult or anyone else and is not negated by a third party's refusal to grant access to the adult or by the adult's refusal to participate in any enquiries.

2.2 Hampshire County Council Adult Services has the lead coordinating role for all safeguarding adult enquiries and would undertake an assessment of the concern once an alert was raised. However, the Council has a duty to recognise a potential or present risk of abuse or neglect and make an initial evaluation of that potential risk. The Hampshire Safeguarding Adults Board advises a report should be made when:

- the person has needs of care and support and there is a concern that they are being or at risk of being abused, neglected or exploited
- there is a concern that the adult has caused or is likely to cause harm to others
- the adult has the capacity to make decisions about their own safety and wants this to happen
- the adult has been assessed as not having the capacity to make a decision about their own safety, but a decision has been made in their best interest to make a referral
- a crime has been or may have been committed against an adult who lacks the mental capacity to report a crime and a 'best interests' decision is made
- the abuse or neglect has been caused by a member of staff or volunteer
- other people or children are at risk from the person causing the harm
- the concern is about organisation or systemic abuse
- the person causing the harm also has care and support needs.

2.3 A Concern must also be raised if there is an overriding public interest or vital interest which may include situations where:

- other adults or children could be at risk from the person causing harm
- a crime could be prevented
- there is a high risk to the health and safety of the adult
- the adult lacks the mental capacity to consent

- the adult would normally be informed of the alert and the reasons, but telling them could jeopardise their safety or the safety of others.

3.0 Disclosure by Adult and by Third Parties

- 3.1 If an adult makes an allegation of abuse or discloses freely information which raises concern that they may be at risk of serious harm or exploitation, the initial response should be:
- remain calm and not show shock or disbelief
 - demonstrate a sympathetic approach
 - listen carefully but don't ask detailed or probing questions
 - confirm the information will be treated seriously
 - assure them their information will usually be treated confidentially, but will need to be shared if they or anyone else is at significant risk
 - ask the individual's consent to raise a safeguarding **concern** or inform the police if appropriate
 - ensure any emergency action needed has been taken (ambulance if medical attention is urgently required, police if a serious crime is suspected) regardless of whether consent has been given
 - consider whether any other adult or any child may be at significant risk
 - make a clear record of what has been said and done as soon as possible
 - don't interfere with anything that could be used as evidence
 - don't confront the alleged abuser
 - don't make any promises you cannot keep
 - report the incident as soon as possible to your line manager and to the Safeguarding Officer to seek advice on possible next steps.
- 3.2 If specific allegations of abuse of an adult are received from a third party or if a third party raises concerns that an adult may be at risk of serious harm or exploitation, the initial response should basically be the same as above but also include:
- asking the third party if the alleged victim is aware and, if so, has given consent for them to share this concern
 - informing them that as far as is possible they will receive feedback as to the result of the concerns raised and any action taken
 - ensuring they know how to report any further concerns or ask any questions that may arise.
- 3.3 It must be stressed that only the Police or Adult Services can initiate or authorise safeguarding investigations. All others have a duty to raise safeguarding concerns to them so that appropriate responses can be made by those authorised to do so.
- 3.4 A suspicion or allegation of adult neglect or abuse may be based on information from a range of third party sources – a member of the public, a carer, a relative of the adult concerned or other professionals, for instance. Concerns may relate to a single incident or represent an accumulation of lower level concerns.
- 3.5 If the harm is alleged to have been caused by another vulnerable adult, then the suspected perpetrator and the victim must both be referred under Safeguarding.
- 3.6 If the allegation relates to a parent, professional, volunteer or anyone working with the adult, consideration must also be given to whether others could also be at risk. If in any doubt, share such concerns in the safeguarding referral.

- 3.7 If an allegation involves a member of Council staff or any of its representatives harming an adult through neglect or abuse, then follow the procedure for reporting a current concern.
- 3.8 If there are concerns about the behaviour of a member of Council staff or its representatives with adults, but they do not suggest an adult has been harmed, then report concerns to the Council's Safeguarding Officer and the individual's Line Manager.

4.0 Raising an Adult Safeguarding Concern

- 4.1 Discuss your concerns with the Council Safeguarding Officer or one of the Deputy Safeguarding Officers. They can help you decide whether or not a Concern should be raised if you are unsure.
- 4.2 A Safeguarding Officer, or you, can also seek advice from the Hampshire Safeguarding Adults Advice Line on 01962 847214 during daytime office hours.
- 4.3 If you are unclear about the advice given to you about raising a concern or feel your concerns have not been addressed, please seek clarification through the Safeguarding Officer or a Deputy Safeguarding Officer who can liaise with HCC Social Care Services directly to help ensure all safeguarding concerns are referred for their assessment.
- 4.4 In general, the consent of the adult at risk should be sought in Raising a Concern, but the circumstances or over-riding factors as described under Section 2 Duty to Refer may be applicable and therefore, seeking consent is not practicable or in the best interests of safeguarding that individual.
- 4.5 You or a Safeguarding Officer can call Adult Services **during office hours on 0300 555 1386** to raise a concern. You can raise a concern **out of hours on 0300 555 1373**.
- 4.6 You may find it helpful to have filled in the Concern form as fully as possible before the call is made to ensure all of the relevant information about your safeguarding concern is relayed to the social care professional on the phone. Make note of the name of the social care officer and time of the call.
- 4.7 Complete the Concern form as fully as possible and email it within 24 hours to: asprofessional@hants.gov.uk along with the name of who you spoke to and the time you called and send a copy to safeguarding@gosport.gov.uk so that a secure record of the Concern can be kept by the Council for follow up.
- 4.8 Call 999 if a person is in immediate danger or at risk of immediate harm.
- 4.9 If you think a crime may have been committed call 101.

5.0 Following Up an Adult Safeguarding Concern

- 5.1 The duty social worker for Adult Services should acknowledge receipt of a written Concern within one working day of receiving it. The response will be sent to the person who raised the Concern.
- 5.2 If the response has come back to the Council member of staff or representative, s/he must inform the Safeguarding Officer the acknowledgement has been received and any response made by Adult Services. If the acknowledgment has been

received by the Safeguarding Officer, they will record the response and share it with the referring officer who can then share it with the adult if deemed appropriate.

- 5.3 If the referring officer has not received an acknowledgement within 3 working days, the Safeguarding Officer will contact Adult Services again to follow up the Concern.
- 5.4 Feedback on the outcome of a Concern should be provided to the referring officer, including where no further action is being taken.
- 5.5 If the referring officer feels a safeguarding issue has not been sufficiently addressed or if concerns about the adult persist or worsen, they should seek advice again from the Safeguarding Officer on whether or not another Concern should be made.

IV Safeguarding and Preventing Radicalisation

1.0 Background

- 1.1 Since 2003 the UK has had a national strategy for reducing the risk of terrorism which has four strands of work:

Protect: strengthening our borders, infrastructure, public buildings and spaces from an attack

Prepare: where an attack can't be stopped, to reduce its impact by responding effectively

Pursue: to disrupt or stop terrorist attacks

Prevent: to stop people from becoming terrorists or supporting terrorism.

- 1.2 The Counter-Terrorism and Security Act 2015 has created a new duty under the Prevent strand of work for local authorities, police, schools, universities, prisons, probation services and other bodies to have due regard to prevent people from being drawn into terrorism. This Duty is often referred to as the Prevent Duty and it became effective from 1 July 2015. The aim of the Prevent Duty is to:
 - support and protect people at a very early stage who might be susceptible to radicalisation so that they are not drawn into criminal activity which may affect their life prospects
 - ensure individuals and communities have the resilience to resist all forms of violent extremism.
- 1.3 Radicalisation is often defined as a process by which an individual or group comes to adopt increasingly extreme political, social, or religious ideals and aspirations that reject or undermine the status quo or reject and/or undermine contemporary ideas and expressions of freedom of choice.
- 1.4 The Prevent Duty recognises that those working in public services supporting and assisting vulnerable people in the community are often the first to notice signs that a person may be being unduly targeted and influenced by extremists advocating violence and terrorist views.
- 1.5 The Prevent Duty also recognises that violent extremism can encompass a wide range of ideologies such as religious extremism, animal rights activism and environmental terrorism, all of which can pose a threat to public safety.

- 1.6 In Hampshire all of these influences exist and are monitored by the police and other counter-terrorism agencies. The risk level from terrorist threats is assessed for each Local Authority level and regularly reviewed, updated and shared with a range of agencies to improve communication and coordination of intelligence and responses. These are called Counter Terrorism Local Profiles (CTLP).
- 1.7 Vigilance and early intervention can help keep everyone in the community safe. Both partnership and community involvement is needed to ensure that those individuals who may be at risk are given early access to support.
- 1.8 Those working in local public service or contracted by public authorities to deliver local services must be aware of potential threats and the Counter –Terrorism measures in place to report concerns to help ensure the safety of the public as well as themselves.

2.0 Recognising the Signs of Radicalisation

- 2.1 There is no single profile of a terrorist or violent extremist. However, there are several factors which can make a person more susceptible to radicalisation and exploitation by extremists. These are often the same factors that can make an adult or child more vulnerable to abuse, neglect or exploitation. The Prevent Duty is directly linked with safeguarding in this respect and the responsibility to report concerns about those at risk of radicalisation is the same.
- 2.2 Factors which can contribute to a person's susceptibility to radicalisation can include but are not limited to:
 - less capacity to make decisions about personal safety due to mental illness or other conditions
 - substance and alcohol abuse
 - communication difficulties
 - physical dependency on others
 - poor self esteem
 - peer pressure
 - bullied
 - experience of abuse
 - isolated or socially excluded
 - victim of crime and anti-social behaviour
 - having grievances (personal or political)
 - experience of stigma and discrimination.
- 2.3 A person may not be exhibiting any of these factors, but still purporting some extremist ideologies or displaying concerning behaviours in support of these views. Concerning behaviours are often those which show a change from their usual behaviour.
- 2.4 The Home Office provides case studies through its Workshops to Raise Awareness of Prevent (WRAP) demonstrating how changes in behaviours- emotions, language and appearance- can provide clues that they are being radicalised.
- 2.5 The Council has registered WRAP facilitators among its staff. Senior officers and section heads have received WRAP training and all staff nominated for WRAP by their line managers are required to attend. New employees will also be required to

attend a WRAP session if assessed as appropriate by their line manager. WRAP and related counter-terrorism awareness material has also been delivered to contracted staff as deemed appropriate.

- 2.6 Additional information on the Prevent Duty is provided through online mandatory safeguarding training and through briefing notes to staff.

3.0 Duty to Raise a Concern, Making and Following Up a Concern

- 3.1 As a minimum under the Prevent Duty, the Council requires all staff, whether they have contact with members of the public or not, to have basic information about the aims of the Prevent Duty, the possible signs of radicalisation and know how to report concerns about any individual through the safeguarding process.
- 3.2 Concerns about an individual, whether an adult or child, can be raised from a variety of sources. A person may disclose information which indicates they are being radicalised or in danger of being so or demonstrate concerning behaviour which you or others have observed. Concerns can be raised over a single incident or build over time. The important message is to report concerns.
- 3.3 To report a safeguarding concern under the Prevent Duty, follow the Quick Guide to Raising a Safeguarding Concern on Page 3 or follow the steps outlined under the specific relevant section for raising a child safeguarding or an adult safeguarding Concern. Please note this is a Prevent Concern on the form and verbally when phoning in a Concern to adult or children's social services.
- 3.4 Follow up a Concern raised under the Prevent Duty in exactly the same way as any safeguarding Alert following the procedures already outlined in this policy.

V SAFEGUARDING AND PREVENTING MODERN SLAVERY

1.0 Background

- 1.1 Modern slavery encompasses slavery, human trafficking, forced labour and domestic servitude. According to the Home Office, human traffickers and modern slave masters use a range of methods to coerce, deceive and force individuals into a life of abuse, servitude and inhumane treatment.
- 1.2 Modern slavery is an international crime involving many source and transit countries. Organised crime groups are known to exploit large numbers of people all over the world. Potential victims referred to the National Referral Mechanism (NRM), the UK's victim identification and support process, in 2013 were reported to be from 112 countries of origin. The five most prevalent countries of origin were Albania, Nigeria, Vietnam, Romania and the United Kingdom. In 2013, 1,746 referrals were made to the NRM, a 50% increase on 2012 figures. However, modern slavery is a largely unreported crime and most victims are controlled and hidden away.
- 1.3 Types of slavery include:
- child trafficking
 - debt bondage.
 - forced labour
 - sexual exploitation
 - criminal exploitation
 - domestic servitude.

- 1.4 The Modern Slavery Act 2015 consolidated slavery and trafficking offences and introduced tougher penalties and sentencing rules. The changes are designed to ensure the police and other law enforcement agencies have the necessary powers to pursue, disrupt and prosecute those engaged in human trafficking, slavery, servitude or forced labour.

2.0 Recognising the Signs of Modern Slavery

- 2.1 There is no typical victim of slavery. Victims can be men, women and children of all ages and from all backgrounds. However, some key drivers that contribute to trafficking of victims are poverty, limited opportunities at home, unstable social and political conditions and war.
- 2.2 Signs of slavery in the UK and elsewhere are often hidden, making it difficult to recognise victims or potential victims. While not exhaustive, the modernslavery.co.uk web site lists some common signs to be aware of:
- physical appearance – victims may show signs of physical or psychological abuse, look malnourished or unkempt or appear withdrawn
 - isolation – victims may rarely be allowed to travel on their own, seem under the control or influence of others, rarely interact, or appear unfamiliar with their neighbourhood or where they work
 - poor living conditions – victims may be living in dirty, cramped or overcrowded accommodation and/or living and working at the same address
 - few or no personal effects – victims may have no identification documents, have few personal possessions and always wear the same clothes; what clothes they do have may not be suitable for their work
 - restricted freedom of movement – victims have little opportunity to move freely and may have had their travel documents retained, e.g. passports
 - unusual travel times – victims may be dropped off/collected for work on a regular basis either very early or very late at night
 - reluctant to seek help – victims may avoid eye contact, appear frightened or hesitant to talk to a stranger and fear law enforcers for many reasons, such as not knowing who to trust or where to get help, fear of deportation, fear of violence to them or their family.

3.0 Duty to Raise a Concern, Making and Following Up a Concern

- 3.1 The Modern Slavery Act 2015 placed a new legal duty on public bodies, including local authorities, to notify the National Crime Agency about potential victims of modern slavery.
- 3.2 Council staff, representatives and contracted staff can play an important role in identifying signs of modern slavery. Consistent effective reporting of potential slavery is vital to help the police and other law enforcement agencies clamp down on criminals who are engaged in human trafficking both internationally and within the UK. The Council will use its safeguarding procedures as described in this policy to report modern slavery concerns for adults and children.
- 3.3 There is already a protocol in place for Missing, Exploited and Trafficked (MET) children under the 4 Local Safeguarding Children Boards procedures on <http://www.4lscb.org.uk/> which encompasses Modern Slavery. The protocol cites research which estimates 100,000 children and young people run away each year including 10,000 reported as missing from care. Missing children are vulnerable and can be exposed to the risks of being physically and sexually abused and trafficked.

These risks are even greater for those living within the care system and are disproportionately represented within children known to be sexually exploited.

- 3.4 The MET protocol explains that children and young people may go missing for a number of reasons. These are often described as 'push' and 'pull' factors. Push factors can include: conflict with parents/carers, feeling powerless, being bullied/abused, being unhappy/not being listened to. Pull factors can include: wanting to be with family/friends; peer pressure, and for those who have been trafficked into the United Kingdom as unaccompanied asylum seeking children there will be pressure to make contact with their trafficker.
- 3.5 There are also potential risks to children and young people who are absent, as opposed to reported as missing. Within this group could be children who are victims of exploitation but attract less attention as perhaps they are only absent for a short period of time or they are absent from where they should be, but their whereabouts are known. It is important for those working with children and young people to be aware that not all children at risk of child sexual exploitation go missing or absent. There will be other information such as changes in their behaviour or appearance which will trigger a concern.
- 3.6 Concerns about an individual, whether an adult or child, can be raised from a variety of sources. A person may disclose information which indicates they are a victim of slavery or in danger of being so, or demonstrate concerning signs or behaviour which you or others have observed. Concerns can be raised over a single incident or build over time. The important message is to report concerns.
- 3.7 To report a safeguarding concern under the Modern Slavery Act 2015, follow the Quick Guide to Raising a Safeguarding Concern on Page 3 or follow the steps outlined under the specific relevant section for raising a child safeguarding or adult safeguarding Concern. Please note that this is a concern under Modern Slavery on the Concern form and verbally when phoning in a Concern to either Adult or Children's Services.
- 3.8 Follow up a Concern raised under the Modern Slavery Act in exactly the same way as any safeguarding concern following the procedures already outlined in this policy.
- 3.9 Concerns will be assessed by either Children's or Adult Services. If assessed to be an example of modern slavery social services will also have the statutory responsibility to notify the Home Office as per section 52 of the Modern Slavery Act 2015.
- 3.10 Children's Services must refer all child victims of modern slavery to the NRM alongside carrying out the normal child protection and safeguarding protocols that must be followed.
- 3.11 Adult victims of modern slavery who give their consent for their details to be shared should be referred to the National Referral Mechanism (NRM) by Adult Services. If an adult victim does not consent to their details to be shared, then Adult Services must send an anonymised notification only form to the Home Office.

APPENDIX 1**Descriptions of Abuse and Safeguarding Terms**

The Care Act 2014 defines 10 categories of abuse; however, what constitutes abuse, neglect and exploitation for the purposes of safeguarding should not be limited to these categories and others are included here.

Category	Description
Absent	A person is not at a place where they are required or expected to be, but their whereabouts are believed to be known, so they are not defined as missing. Risk is assessed by Hampshire Constabulary as low risk for absent children under the age of 18, but the risk level could change with different circumstances.
Child Sexual Exploitation	A form of sexual abuse that involves the coercion of young people into sexual activity in exchange for various 'rewards' such as money, accommodation, affection or status. It can occur through the use of technology without the child's immediate recognition, such as posting sexual images on the internet, without immediate payment or gain. The young person may believe they are in a loving relationship.
Criminal Exploitation	Victims are forced into crimes such as cannabis cultivation or pick pocketing against their will and are often controlled and maltreated.
Debt Bondage	Victims are forced to work to pay off debts that realistically they will never be able to do.
Discriminatory Abuse	Includes forms of harassment, slurs or similar treatment because of race, religion, gender, gender identity, disability or sexual orientation
Domestic Abuse	Any incident or pattern of incidents of controlling, coercive or threatening behaviour, violence or abuse between those aged 16 or over, who are or have been intimate partners or family members regardless of gender or sexuality. The abuse can take many forms. The Crime Act 2015 includes a new offence of coercive and controlling behaviour in intimate and familial relationships which can impose a fine or imprisonment or both for offenders.
Domestic Servitude	Victims are forced to carry out housework and domestic chores in private households with little or no pay, restricted movement, very limited or no free time and minimal privacy often sleeping where they work.
Domestic Violence	Includes psychological, physical, sexual, financial, emotional abuse and honour based violence.
Financial Abuse	Includes theft, fraud, internet scamming, coercion in relation to an adult's financial affairs or arrangements, including in connection to wills, property, inheritance or financial transactions or the misuse or misappropriation of property, possessions or benefits.
Forced Labour	Victims are forced to work against their will, often working very long hours for little or no pay in dire conditions under verbal or physical threats of violence to them or their families

Human Trafficking/ Child Trafficking	A process that is a combination of three components: Movement (including within the UK), Control (through harm, threat of harm or fraud) and Exploitation. However, any child under the age of 18 transported for exploitative reasons is considered to be a trafficked victim whether or not s/he has been deceived because it isn't considered possible for children to give informed consent.
Missing	Anyone whose whereabouts cannot be established and where circumstances are out of character, or the context suggests the person may be the subject of crime, or they may be a risk to themselves or others. A missing child is a person up to the age of 18 who has run away from their home, care placement, has been forced to leave or whose whereabouts is unknown. Risk is assessed by Hampshire Constabulary for children as at least medium or high.
Modern Slavery	Includes slavery, human trafficking, forced labour and domestic servitude. Traffickers use coercion, deceit and force to subject victims to a life of servitude, abuse and inhumane treatment.
Neglect and Acts of Omission	Includes ignoring medical, emotional or physical care needs, failure to provide access to appropriate health, care and support for educational services, the withholding of life sustaining items such as medication, adequate nutrition and heating.
Organisational Abuse	Includes 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 someone's own home. This may range from one off incidents or ongoing ill treatment. It can be through neglect or poor professional practices as a result of the structure, policies, processes and practices within an organisation
Physical Abuse	Includes assault, hitting, slapping, pushing, misuse of medication, restraint or inappropriate sanctions
Psychological Abuse	Includes 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 support networks.
Radicalisation	A process by which an individual or group comes to adopt increasingly extreme political, social or religious ideals and aspirations that reject or undermine the status quo and/or undermine contemporary ideas and expressions of freedom of choice.
Self –Neglect	Includes a wide range of behaviour, including neglecting to care for one's own personal hygiene, health or surroundings and behaviour such as hoarding.
Sexual Abuse/ Exploitation	Includes rape, indecent exposure, sexual harassment, sexual assault, inappropriate touching, sexual teasing or innuendo, sexual pornography, subjection to pornography or witnessing sexual acts, sexual acts to which the person has not consented or was pressured into consenting.

APPENDIX 2

Quick Guide to Raising a Safeguarding Concern

1. Raising a concern means passing on a concern, suspicion or allegation of potential abuse, neglect or harm. If you are unclear whether raising a concern is warranted, discuss the situation with the Council Safeguarding Officer, Mark Simmonds, or one of the Deputy Safeguarding Officers, Justine Manning or Alan Howsam.
2. The Safeguarding Officer, or you, can also seek advice from Hampshire Safeguarding Adult's Advice Line on **01962 847214** or the Children's Advice Line on **01329 225379** during office hours. Out of hours numbers are listed below to call if you feel any child or adult is at risk of immediate harm.
3. If you are unclear about the advice given by the Hampshire Advice Lines at the time or feel your concerns have not been addressed, please seek clarification through the Safeguarding Officer who can help ensure all safeguarding concerns are referred for assessment by Social Services. If you are in any doubt, a safeguarding concern should still be made and include as much information as possible. Send as directed below to ensure it will get assessed by either Children's or Adult Services who have the primary duty to assess potential safeguarding concerns.
4. To report any safeguarding concerns you should:

Safeguarding Adults	Safeguarding Children
<ul style="list-style-type: none"> • Call Adult Services during office hours on 0300 555 1386 or • If out of hours call 0300 555 1373. • Notify the GBC Safeguarding Officer you have raised a concern AND • Complete the alert form as fully as possible and email it within 24 hours to: asprofessional@hants.gov.uk • Ensure the form is also sent to: safeguarding@gosport.gov.uk so that the Safeguarding Officer has a copy of the concern raised. 	<ul style="list-style-type: none"> • Call Children's Services during office hours on 0300 555 1384 or • If out of hours call 0300 555 1373. • Notify the GBC Safeguarding Officer you have raised a concern AND • Complete the alert form as fully as possible and email it within 24 hours to: csprofessional@hants.gov.uk • Ensure the form is also sent to: safeguarding@gosport.gov.uk so that the Safeguarding Officer has a copy of the concern raised.

5. Call 999 if a child or adult is in **immediate** danger or at risk of **immediate** harm.
6. If you think a crime may have been committed call 101.
7. Adult or Children's Services should acknowledge receipt of a written Concern within one working day. If you have not received an acknowledgement within three

working days, alert the Safeguarding Officer who will contact the manager of the social care team again. Feedback on the outcome of a Concern should be provided to the referrer, including where no further action is to be taken.

GOSPORT SAFEGUARDING CONCERN FORM

Details of Person Referring

Title:	First Name:	Surname:
Job Title:		
Organisation:		
Telephone:	Email:	

Details of Adult or Child at Risk

Title:	First Name:	Surname:
Name of Parent/Guardian (of child at risk):		
Address:		
Telephone:	Email:	
Date of Birth or Age:	Male: <input type="checkbox"/>	Female: <input type="checkbox"/> Transgender: <input type="checkbox"/>
Details of other members of household:	Disabilities:	
Communication Needs: (for example interpreter, Braille or large print required)	Mental Capacity (information if known at this stage)	

Details of Referral

<p>Details of concerns/ incident (include details such as name and relationship of person alleged to have caused the harm, date and location of incident , witness information, injuries observed and appearance/behaviour of person at risk)</p>

What type of alleged abuse has taken place? Tick all that apply.	
<input type="checkbox"/> Neglect	<input type="checkbox"/> Physical <input type="checkbox"/> Sexual <input type="checkbox"/> Financial
<input type="checkbox"/> Discriminatory	<input type="checkbox"/> Institutional <input type="checkbox"/> Emotional
Has the adult at risk or parent/guardian of child at risk given their consent to <i>allow for (delete)</i> a referral?	
<input type="checkbox"/> Yes	<input type="checkbox"/> No – but they have been made aware a referral must be made
<input type="checkbox"/> No – the adult at risk or parent/guardian hasn't been made aware a referral must be made due to increased risk of significant harm.	
Are you reporting a concern under the Prevent Duty (Counter- Terrorism Act 2015)?	
<input type="checkbox"/> Yes	<input type="checkbox"/> No
Are you reporting a concern under the Modern Slavery Act 2015?	
<input type="checkbox"/> Yes	<input type="checkbox"/> No

Details of Action Taken

Who have you discussed the concern with (i.e. manager or Safeguarding Officer)?	
Name:	Job Title:
Details of actions agreed/taken (include referral to HCC Safeguarding; <i>if</i> Police contacted please include crime reference number)	
Details of actions agreed continued...	

Signature

Signed:	Date:

<p>Print Name:</p>	
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Safeguarding Children and Adults - Operational Guidance for GBC Staff and Representatives

Recognising Abuse and Neglect

Abuse is a violation of an individual's human and civil rights by any other person or persons. It is the misuse of the power and control that one person has over another and can take many forms. Failing to act to prevent harm or acting in a way that causes harm to a person by someone who has responsibility for them is abuse.

Neglect is the failure of any person, who has responsibility for the charge, care or custody of another person, to provide the amount and type of care that a reasonable person would be expected to provide and also can take many forms.

You may suspect abuse or neglect because:

- you have general concerns about someone's wellbeing
- you see or hear about something which could be abuse or neglect
- someone tells you that something has happened or is happening to them, which could be abuse or neglect.

A suspicion or allegation of child or adult abuse or neglect may be based on information from a range of third party sources or from disclosures made by alleged victims. Concerns may relate to a single incident or represent an accumulation of lower level concerns.

Descriptions of Abuse and Safeguarding Terms

The Care Act 2014 defines 10 categories of abuse; however, what constitutes abuse, neglect and exploitation for the purposes of safeguarding should not be limited to these categories and others are included here.

Category	Description
Absent	A person is not at a place where they are required or expected to be, but their whereabouts are believed to be known, so they are not defined as missing. Risk is assessed by Hampshire Constabulary as low risk for absent children under the age of 18, but the risk level could change with different circumstances.
Child Sexual Exploitation	A form of sexual abuse that involves the coercion of young people into sexual activity in exchange for various 'rewards' such as money, accommodation, affection or status. It can occur through the use of technology without the child's immediate recognition, such as posting sexual images on the internet, without immediate payment or gain. The young person may believe they are in a loving relationship.
Criminal Exploitation	Victims are forced into crimes such as cannabis cultivation or pick pocketing against their will and are often controlled and maltreated
Debt Bondage	Victims are forced to work to pay off debts that realistically they will never be able to do.

Discriminatory Abuse	Includes forms of harassment, slurs or similar treatment because of race, religion, gender, gender identity, disability or sexual orientation
Domestic Servitude	Victims are forced to carry out housework and domestic chores in private households with little or no pay, restricted movement, very limited or no free time and minimal privacy, often sleeping where they work
Domestic Violence	Includes psychological, physical, sexual, financial, emotional abuse and honour based violence
Financial Abuse	Includes theft, fraud, internet scamming, coercion in relation to an adult's financial affairs or arrangements, including in connection to wills, property, inheritance or financial transactions or the misuse or misappropriation of property, possessions or benefits
Forced Labour	Victims are forced to work against their will, often working very long hours for little or no pay in dire conditions under verbal or physical threats of violence to them or their families
Human Trafficking/ Child Trafficking	A process that is a combination of three components: Movement (including within the UK), Control (through harm, threat of harm or fraud) and Exploitation. However, any child under the age of 18 transported for exploitative reasons is considered to be a trafficked victim whether or not s/he has been deceived because it isn't considered possible for children to give informed consent.
Missing	Anyone whose whereabouts cannot be established and where circumstances or the context suggests the person may be the subject of crime, or they may be a risk to themselves or others. A missing child is a person up to the age of 18 who has run away from their home, care placement, has been forced to leave or whose whereabouts is unknown. Risk is assessed by Hampshire Constabulary for children as at least medium or high.
Modern Slavery	Includes slavery, human trafficking, forced labour and domestic servitude. Traffickers use coercion, deceit and force to subject victims to a life of servitude, abuse and inhumane treatment
Neglect and Acts of Omission	Includes ignoring medical, emotional or physical care needs, failure to provide access to appropriate health, care and support for educational services, the withholding of life sustaining items such as medication, adequate nutrition and heating
Organisational Abuse	Includes neglect and poor care practice within an institution or care setting such as a hospital or care home, for example, or in relation to care provided in someone's own home. This may range from one off incidents or ongoing ill treatment. It can be through neglect or poor professional practices as a result of the structure, policies, processes and practices within an organisation
Physical Abuse	Includes assault, hitting, slapping, pushing, misuse of medication, restraint or inappropriate sanctions

Psychological Abuse	Includes 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 support networks
Radicalisation	A process by which an individual or group comes to adopt increasingly extreme political, social or religious ideals and aspirations that reject or undermine the status quo and/or undermine contemporary ideas and expressions of freedom of choice.
Self –Neglect	Includes a range of behaviour, including neglecting to care for personal hygiene, health or surroundings and behaviour such as hoarding
Sexual Abuse/ Exploitation	Includes rape, indecent exposure, sexual harassment, sexual assault, inappropriate or touching, sexual teasing or innuendo, sexual pornography, subjection to pornography or witnessing sexual acts, sexual acts to which the person has not consented or was pressured into consenting

Raising a Safeguarding Concern

As detailed in the Council's Safeguarding Children and Adults Policy 2016 you have a statutory duty to notify Children's or Adult Services at Hampshire Council if it is believed or suspected that:

- a child is suffering or is likely to suffer significant harm from abuse or neglect
- a child would be likely to benefit from family support services with agreement of a person who has parental responsibility
- an adult with care and support needs is experiencing, or at risk of, abuse or neglect
- an adult with care and support needs is unable to protect themselves from either the risk of, or the experience of abuse or neglect

Raise a Concern even if it is known the Children's or Adult Services are already involved with the child/ family/ adult you are concerned about.

Generally, safeguarding concerns about a child or children should also be discussed with the family and, where possible, the family's consent to making a referral should be sought. However, consent should not be sought if this would cause a delay or prompt a response or situation that could place a child/ children or any others at increased risk of significant harm.

Adult safeguarding is centred on presumption of an adult having the mental capacity to make decisions about their own safety unless s/he has been assessed as not having the mental capacity. Adult Services has a duty to arrange for an independent advocate to represent and support a person who is the subject of a safeguarding concern or a safeguarding adult review if they would have 'substantial difficulty' in understanding and taking part in the enquiry or review and in expressing their views, wishes, or feelings. This service can be accessed by calling Adult Services. The adult who is the subject of the Concern would normally be informed when the Concern was raised and why, unless telling them would jeopardise their safety or the safety of others. An adult safeguarding concern should be made when:

- the adult at risk has the mental capacity to make a decision about their own safety and wants this reported

- has been assessed as not having the mental capacity to consent, but there is high risk to their safety
- other adults or children are at risk from the person causing the harm
- the person causing the harm also has care and support needs
- the concern is about organisation abuse
- a crime could be prevented.

If you have concerns about significant harm, then report them immediately. The greater level of perceived risk, the more urgently the referral should be made following the procedures in the Quick Guide to Raising a Safeguarding Concern and using the Safeguarding Concern Form below or found on the Infonet.

Procedures for ensuring immediate safety are summarised as follows:

- medical attention should be sought immediately for any child or adult suffering from a serious injury or requiring treatment by calling an ambulance for transporting to the Accident and Emergency department of a local hospital; a safeguarding Concern must be raised and the duty Consultant Paediatrician must be informed of the nature of the concerns in the case of a child
- the Police (999) should be called if any child or adult needs immediate protection and then a safeguarding Concern made to Children's or Adult Services
- consider whether any other child or adult may be at significant risk and include them in the Concern raised.

Disclosure by a Child, Adult and by Third Parties

If a child, adult or third party makes an allegation or discloses information freely which raises concern about significant harm, the initial response should be to:

- remain calm and not show shock or disbelief
- demonstrate a sympathetic approach
- listen carefully to what s/he is saying, but don't ask probing questions
- offer reassurance about how s/he will be kept safe
- explain the information will be passed on to Children's Services and/or the Police in the case of a child disclosure
- ask the adult's consent to raise a concern to Adult Services and inform the police if appropriate or ask the Third Party if the adult they are concerned about has given consent
- consider whether any other child or adult may be at significant risk of harm
- don't interfere with anything that could be used as evidence
- don't confront the alleged abuser
- don't make promises you can't keep
- ensure the third party knows how to report any further concerns
- inform the third party they will receive feedback on the result or any actions taken as far as possible
- make a clear record of what has been said and done by whom as soon as possible
- report the disclosure to your line manager and to the Safeguarding Officer for advice on possible next steps.

Only the Police, Children's or Adult Services can initiate or authorise safeguarding investigations. All others have a duty to raise safeguarding concerns to them so that appropriate responses can be made by those authorised to do so.

If the harm is alleged to have been caused to a child by another child, then the suspected perpetrator and the victim must both be referred under a child safeguarding Concern.

If the harm to an adult is alleged to have been caused by another adult with care and support needs, then the suspected perpetrator and the victim must both be referred under an adult safeguarding Concern.

If the allegation relates to a family member, professional, volunteer or anyone working with the child or adult, consideration must also be given to whether other children or adults with care and support needs could also be at risk. If in any doubt, share such information in the safeguarding Concern.

If an allegation involves a member of Council staff or any of its representatives harming a child or adult through neglect or abuse, then follow the Quick Guide procedure for reporting a current concern.

If there are concerns about the behaviour of a member of Council staff or its representatives with children or adults, but they do not suggest a child or adult has been harmed, then report concerns to the Council's Safeguarding Officer and the individual's Line Manager.

Information Sharing

Sharing the right information, at the right time, with the right people, is fundamental to good safeguarding practice. When sharing people's information, it is important to recognise that:

- adults at risk may not give their consent to the sharing of safeguarding information for a number of reasons, but reassurance and appropriate support may change this view
- emergency or life-threatening situations may necessitate the sharing of information with the relevant emergency services without consent
- the law allows for the sharing of sensitive, personal information within organisations and between organisations where there is a concern that people could be at risk of harm or where a serious crime may be prevented.

If in any doubt about sharing information, seek advice from your line manager or safeguarding officer.

Quick Guide to Raising a Safeguarding Concern

Raising a concern means passing on a concern, suspicion or allegation of potential abuse, neglect or harm. If you are unclear whether raising a concern is warranted, discuss the situation with the Council Safeguarding Officer, Mark Simmonds, or one of the Deputy Safeguarding Officers, Justine Manning or Alan Howsam.

The Safeguarding Officer, or you, can also seek advice from Hampshire Safeguarding Adults Advice Line on **01962 847214** or the Children's Advice Line on **01329 225379** during daytime office hours. Out of hours numbers are listed below to call if you feel any child or adult is at risk of immediate harm.

If you are unclear about the advice given by the Hampshire Advice Lines at the time or feel your concerns have not been addressed, seek clarification from the Safeguarding Officer who can help ensure all safeguarding concerns are referred for assessment by Social Services. If you are in any doubt, a safeguarding concern should still be made and you should include as much information as possible. Send the form as directed below to ensure it will get assessed by either Children's or Adult Services who have the primary duty to assess potential safeguarding concerns.

To report any safeguarding concerns you should:

Safeguarding Adults	Safeguarding Children
<ul style="list-style-type: none"> • Call Adult Services during office hours on 0300 555 1386 or • If out of hours call 0300 555 1373. • Notify the GBC Safeguarding Officer you have raised a concern AND • Complete the alert form as fully as possible and email it within 24 hours to: asprofessional@hants.gov.uk • Ensure the form is copied to: safeguarding@gosport.gov.uk so that the Safeguarding Officer has a copy 	<ul style="list-style-type: none"> • Call Children's Services during office hours on 0300 555 1384 or • If out of hours call 0300 555 1373. • Notify the GBC Safeguarding Officer you have raised a concern AND • Complete the alert form as fully as possible and email it within 24 hours to: csprofessional@hants.gov.uk • Ensure the form is copied to: safeguarding@gosport.gov.uk so that the Safeguarding Officer has a copy

Call 999 if a child or adult is in **immediate** danger or at risk of **immediate** harm.

If you think a crime may have been committed call 101.

Adult or Children's Services should acknowledge receipt of a written Concern within one working day. If you have not received an acknowledgement within three working days, alert the Safeguarding Officer who will contact the manager of the social care team again. Feedback on the outcome of a Concern should be provided to the referrer, including where no further action is to be taken.

GOSPORT SAFEGUARDING CONCERN FORM

Details of Person Referring

Title:	First Name:	Surname:
Job Title:		
Organisation:		
Telephone:	Email:	

Details of Adult or Child at Risk

Title:	First Name:	Surname:
Name of Parent/Guardian (of child at risk):		
Address:		
Telephone:	Email:	
Date of Birth or Age:	Male: <input type="checkbox"/>	Female: <input type="checkbox"/> Transgender: <input type="checkbox"/>
Details of other members of household:	Disabilities:	
Communication Needs: (for example interpreter, Braille or large print required)	Mental Capacity (information if known at this stage)	

Details of Referral

Details of concerns/ incident (include details such as name and relationship of person alleged to have caused the harm, date and location of incident, witness information, injuries observed and appearance/behaviour of person at risk)

What type of alleged abuse has taken place? Tick all that apply.

<input type="checkbox"/> Neglect	<input type="checkbox"/> Physical	<input type="checkbox"/> Sexual	<input type="checkbox"/> Financial
<input type="checkbox"/> Discriminatory	<input type="checkbox"/> Institutional	<input type="checkbox"/> Emotional	

Has the adult at risk or parent/guardian of child at risk given their consent to allow for a referral?

☐ Yes ☐ No – but they have been made aware a referral must be made

☐ No – the adult at risk or parent/ guardian has not been made aware a referral must be made due to increased risk of significant harm.

Are you reporting a concern under the Prevent Duty (Counter- Terrorism Act 2015)?

☐ Yes ☐ No

Are you reporting a concern under the Modern Slavery Act 2015?

☐ Yes ☐ No

Details of Action Taken

Who have you discussed the concern with (i.e. manager or Safeguarding Officer)?	
Name:	Job Title:
Details of actions agreed/taken (include referral to HCC Safeguarding; if Police contacted please include crime reference number)	
Details of actions agreed continued...	

Signature

Signed:	Date:
Print Name:	

EQUALITIES IMPACT ASSESSMENT **Screening Assessment Form**

Name of policy_✓_/strategy___/function___ being assessed. Please ✓ what it is.

Safeguarding Children and Adults Policy 2016

1. Is this policy, strategy or function new _✓_ or an existing___ one? Please ✓ what it is.

1a. Briefly describe the reasons for developing or reviewing this?

Eg: change in legislation or requirements, results of consultation, part of a regular review cycle, etc.

This is new safeguarding policy to replace the previous safeguarding policy dated 2012. This new policy encompasses the safeguarding implications of new legislation and statutory duties under the Counter Terrorism Act 2015 and the Modern Slavery Act 2015 and reflects the latest child and adult safeguarding considerations and protocols covered under Hampshire wide agreements for safeguarding under the two-tier local authority system.

2a. Describe the main aim or purpose of this item? Who will it benefit? Why is it needed?

Everyone benefits from clear safeguarding guidance and reporting protocol which is aimed at stopping neglect, abuse or exploitation and preventing further harm. This is a statutory duty. As a second tier authority without social care responsibilities, this policy is aimed at identifying and reporting any safeguarding concerns to Hampshire County Council social care services for investigation or to the police.

The main purpose is to:

Help protect and safeguard children, young people and adults from abuse, neglect, poor practices and exploitation.

Help protect and safeguard those who may be susceptible to radicalisation and to help prevent them from being drawn into criminal activity.

Help protect and safeguard those who may be victims of modern slavery or at risk of becoming victims

Raise awareness of and promote the safeguarding responsibilities of Council representatives and officers to protect them from being misunderstood and minimise the risk of abuse or poor practices.

3a. The Public Sector Equality Duty is part of the Equality Act 2010. The Duty requires the Council to have due regard to the following three aims:

- eliminate unlawful discrimination, harassment and victimisation;
- advance equal opportunities between people from different groups
- foster good relations between people from different groups.

Having due regard means considering how this policy, strategy or function has or will advance equal opportunities for each of the protected groups below.

The Safeguarding Children and Adults Policy does have due regard to the three aims of the Public Sector Equality Duty. Improved awareness of what safeguarding issues are, improved understanding of forms of abuse, neglect and exploitation and a clear process for reporting concerns so that they can be properly investigated by those trained to do so should help to eliminate unlawful discrimination, harassment and victimisation. Support for victims and potentially support for perpetrators should help to advance equal opportunities and foster good relations between different groups of people as well as individuals.

3b Identify how this item demonstrates due regard to the three aims above for each of the protected groups below.

(For marriage and civil partnership, legislation requires you only need to demonstrate how you would eliminate unlawful discrimination, harassment and victimisation)

This item demonstrates due regard by: Describe how it furthers equal opportunities.	Describe any negative impact or potentially negative impact of this item for any group. For any negative impact identified, describe actions already taken to address it. Any planned actions must be identified in section 4.	List data sources/ evidence used to assess impact and whether this items furthers the aims of the Equality Duty. Insert links to data used where possible

Age	Child Safeguarding guidance covers young people until their 18 th birthday, when they would be considered adults. Adult Safeguarding covers adults from 18 to any age.	Victims can be any age and the particular age of a victim may be a contributing factor to certain forms of abuse. Child safeguarding is centred on the needs of the child and their safety, but children are never considered “consenting” to any form of abuse. Adults can be considered to be “consenting” to some forms of abuse if they have the mental capacity to understand what is happening and may decide they don’t want any action taken. The policy and its protocols and safeguarding training for frontline staff all help to increase awareness of safeguarding issues and how to report concerns.	The GBC policy covers spotting and reporting concerns or allegations or disclosures of neglect, abuse or exploitation to either social care services or the police for their investigation. GBC staff don't undertake safeguarding investigations. 4LSCB is a Hampshire wide child safeguarding protocol. The 1989 and 2004 Children Acts provide the legislative cornerstone of the protocol. A Safeguarding Adults Multi-Agency Policy is in place in Hampshire which details principles of adult safeguarding and mental capacity. The Care Act 2014 and the Mental Capacity Act 2005 are the cornerstones of the adult safeguarding protocol. Counter-Terrorism Act 2015 introduced the duty to prevent radicalisation by referring susceptible persons under safeguarding, and Modern Slavery Act 2015 introduced a new reporting duty to inform the Home Office of suspected slavery. The safeguarding policy is also linked with several other GBC policies including Code of Conduct, Whistleblowing, Bullying and Harassment, etc. Capsule guidance taken from the policy will be developed as a staff practical resource to be used with the policy, the Safeguarding Essentials online course and any further safeguarding training as appropriate to staff roles and responsibilities
Disability	Safeguarding covers anyone with a disability	Having a disability has been proven to increase a person’s vulnerability to neglect, abuse and exploitation and decrease that person’s ability to understand what is happening to them and to seek help. Awareness campaigns by disability groups, police and safeguarding training, and this policy, help to improve awareness and reporting. Staff equality training also helps increase awareness of disabilities.	
Gender reassignment	Safeguarding covers anyone regardless of their gender identity	People can be victimised by their gender identity and subjected to abuse because of it. Recent legislation about transgender rights and forms of abuse some have experienced has improved public awareness, but more could be done. Staff equality training has improved understanding of gender identity.	
Marriage and Civil Partnership	Safeguarding covers everyone regardless of their relationship status	People can be victimised by those closest to them, whether partner or spouse, which can make it even harder for the victim to report what is happening or others to be aware it is happening. The policy stresses to report any concerns and let the professionals trained in safeguarding ³ investigation determine the facts.	

Race (ethnic or national origin, colour, nationality)	Safeguarding covers all ethnicities, nationalities and national origins	Different cultural beliefs or practices can be misunderstood. Some may be abusive and should be identified as safeguarding concerns which need reporting and investigating. Misunderstanding of UK laws, fear of police or support services may deter victims from seeking help. Victims of modern slavery can be particularly vulnerable from their traffickers who use violence and fear to control them, preventing them from leaving the situation or obtaining help. The policy provides information for spotting concerns and reporting and refers to wider guidance under both Hampshire Safeguarding Children and Adults protocols. Fear of causing offence or being called racist may inhibit people from reporting potential concerns.	
Religion or Belief (and lack of belief)	All religions, beliefs and non-beliefs, humanists, etc. are covered under safeguarding.	Some religions, religious beliefs or practices could be misunderstood or identified as neglectful, abusive or exploitative under UK legislation and therefore be a safeguarding issue and require investigation by social care, police or other agencies specifically trained to investigate. Fear of causing offence to a person of a particular religion or belief may inhibit people from reporting concerns.	
Sex	Males, females and those who identify as non-binary are all covered by safeguarding	National research shows some forms of abuse are more prevalent for females or males e.g. victims of domestic abuse and sexual exploitation are more often female than male while victims of criminal exploitation are more often male. Awareness campaigns must stress that all forms of abuse can happen to anyone to remove any stigma	

		about reporting concerns so that victims can be supported.	
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Pregnancy and Maternity	Safeguarding covers anyone regardless of pregnancy or maternity	Safeguarding concerns can be reported for both mother and unborn child or for other children in the household or associated with an alleged perpetrator(s). The policy includes guidance to consider other children or adults associated with the initial concern being reported.	
Sexual Orientation	Safeguarding covers all sexual orientations	People are often victimised because of their sexual orientation or perceived sexual orientation. Public awareness campaigns such as for homophobic crime have helped to encourage reporting of harassment and crimes based on sexual orientation. Staff equality training also helps raise awareness.	

3c. Are there any other groups in addition to those above which could be impacted (e.g. socially or financially excluded) by this item?

Please ✓ ___yes ___no

Group	P&O Board Report 6-7-16 Safeguarding Policy:-EIA	Describe any negative impact or potentially negative impact of this item for any group	Appendix C List data sources/ evidence used to assess impact and whether this items furthers the aims of the Equality Duty
GBC Staff, volunteers, elected members	Council staff and its representatives are also bound by this policy and have at least a minimum responsibility to be aware of this policy , comply with its guidance and procedures and know how to report concerns.	GBC managers undertake various checks as appropriate to the duties and responsibilities of each post when employing anyone and won't employ anyone where the selection and vetting process has revealed a child or adult protection risk. Staff safeguarding training, other training and guidance should also help prevent staff from posing a safeguarding risk themselves through poor practices and help them to identify any potential safeguarding concerns.	The policy covers the safeguarding responsibilities of GBC staff and representatives as well as the employment practices, policies and guidance linked to the Safeguarding policy.
GBC Contracted Services	The Council's main contractors are required to have a clear safeguarding policy and procedure in place to ensure contracted staff know how to spot and report concerns. If they don't then the Council will provide information and support to put this in place.	GBC Contract managers are responsible for checking to ensure these are in place. Information about GBC safeguarding procedures and contact details were given to Kier, Urbaser and Sodexo management staff who attended Prevent training in January 2016.	Existing contracts and any new tenders must provide evidence of equivalent equality and safeguarding policies for any contracted work with children and or adults. This is covered in the policy.

4. Please Identify any further actions you will take resulting from this assessment.

Action	Officer Responsible	Proposed Completion date
Produce capsule staff guidance for child and adult safeguarding spotting and reporting concerns.	Safeguarding officers and CPCS Principal Policy Officer	End March 2016 -completed
Set up dedicated safeguarding Infonet page with policy, guidance and resources	CPCS Principal Policy Officer	End June 2016- completed
Re-launch GBC Safeguarding Group- may meet 2-4 times annually- to contribute to understanding and good practice and monitor effectiveness of policy and procedures.	Safeguarding officers to chair, members of safeguarding group to contribute	End October 2016

6. Date of screening 18-2-16	Officer(s) completing assessment Mandy Baggaley, Principal Policy Officer, Corporate Policy and Community Safety	Section Date Approved: 23/2/16
7. Name of Section Head Julie Petty	Date review completed.	
8. Date submitted to EDSG 23/2/16	Date review completed 26/2/16	
EDSG Recommendation: <input type="checkbox"/> This assessment form is incomplete and requires additional information for its review by EDSG. <hr/> <p>This assessment has been successfully reviewed with the following outcome:</p> <p><input checked="" type="checkbox"/> No major change – The policy/strategy/function is robust and evidence shows no potential for discrimination and the aims of the Equality Duty have been met.</p> <p><input type="checkbox"/> Adjust the policy/strategy or function – This item will meet the aims of the Equality Duty if actions identified in Sections 3 and 4 to remove barriers or to better advance equality are implemented.</p> <p><input type="checkbox"/> Continue the policy/strategy/function – There is some potential for adverse impact or missed opportunities to promote equality, but no unlawful discrimination has been identified. Ensure effective equality monitoring is in place to assess the actual impact on different groups</p> <p><input type="checkbox"/> Stop and Rethink – Adverse equality impacts have been identified, may not be justified and have not been mitigated. Unlawful discrimination could be taking place. Do not adopt or continue a full equality investigation has been completed.</p>		

AGENDA ITEM NO. 7

Board/Committee:	Policy and Organisation
Date of Meeting:	6 July 2016
Title:	Application to Register an Asset of Community Value
Author:	CHIEF EXECUTIVE
Status:	FOR DECISION

Purpose

To consider an application received to register a Public House (the Junction Tavern in Leesland Road) as an Asset of Community Value.

Recommendation

That the Board determines the application to register the Junction Tavern as an Asset of Community Value.

1 Background

- 1.1 The Localism Act 2011 introduced a scheme whereby the Local Community can apply to the Council for certain land or buildings to be listed by the Council on a Register of Assets of Community Value (ACV). These can be anything from a library or swimming pool to a shop or public house.
- 1.2 If an asset on the list is put up for sale by the owner then the group who originally applied for it to be listed as an ACV can suspend any sale for a period of 6 months and then attempt to raise the relevant purchase price and buy the ACV before it reaches the open market.
- 1.3 An application has been received to register The Junction Tavern in Leesland Road as an ACV.

2 Report

- 2.1 The Nomination has been received from Mr David Blakie as Lead Nominator for the South East Branch of The Campaign for Real Ale. The application meets the necessary criteria to be treated as a valid application, as lodged by one of the various groups that can make such an application, in this instance an unincorporated body with at least 21 members. A recent Court Case has confirmed that CAMRA qualifies as such a body.
- 2.2 Full reasons for the nomination can be seen in the appropriate

Nomination Form, a copy of which is appended to this Report.

- 2.3 The property in question is owned by Red Oak Taverns Limited having been acquired by them in August 2015.
- 2.4 The Council has the responsibility under the relevant Legislation to manage the application process and to adjudicate on nominations. It also has to compile and publish a Register of successful applications. It must also list details of unsuccessful applications including reasons why they did not succeed. The Council will then need to notify the owners of any decision to list and manage an appeals process if the owner wants to appeal against a decision to list. We would also need to manage the relevant 6 month moratorium process if the owner decides to sell the ACV, with advertisements being placed to publicise the owner's intention to sell.
- 2.5 First, however, a decision needs to be made whether to list this particular property as an ACV. The Board will need to consider the following matters:-
 1. The present main use of the property. Does this further the social well being of the local community or its recreational interests? Public Houses have been listed as ACVs by a number of other Local Authorities.
 2. Is the use expected to continue in the future?
- 2.6 If listed the property will remain on the list for 5 years, although re-applications can be made.
- 2.7 The owner can appeal against a decision to list a property as an ACV which would have to be to full Council at present, and then at the first Tier Tribunal. A decision not to list is not appealable by the applicants.

3 Risk Assessment

- 3.1 If the Board does not decide on this application then the Council will be in breach of its Statutory Obligations.

4 Conclusion

- 4.1 A decision must be taken as to whether the property in question qualifies as an ACV and if it does that it will be entered on the new Register of Assets of Community Value to be maintained and published by the Council on its web-site in the form annexed to this Report.

Financial Services comments:	Grant funding has been received for the
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	Council's costs
Legal Services comments:	Contained within the Report
Crime and Disorder:	None
Equality and Diversity:	None
Service Improvement Plan implications:	None
Corporate Plan:	"To work with the community to improve everyone's quality of life....." extract from the Council Mission statement
Risk Assessment:	See Paragraph 3
Background papers:	None
Appendices/Enclosures:	
Appendix 'A'	Copy application form for The Junction Tavern
Report author/ Lead Officer:	Mark Simmonds – Head of legal Services – x5654