

Safeguarding Children, Young People and Vulnerable Adults

A Guide For Staff Working For Mendip District Council

Remember it is not up to you to decide if abuse has taken place, but it is your legal duty to report anything that concerns you about the safety of a child , young person or vulnerable adult even if they do not involve Mendip District Council staff or services.

Introduction

Mendip District Council are committed to the duty of care to safeguard all children, young people and vulnerable adults at risk involved in activities, services and facilities under the direct control of the Council and will so far as is reasonably practicable ensure that vulnerable people are protected through appropriate procedures and safe working practices that are based on recognised good practice, builds upon existing good practice operating across our services and sets out our corporate policies and procedures.

Safeguarding is everyone's responsibility. This policy sets out Mendip District Council's responsibilities under the Children's Act 2004 to ensure that children, young people and vulnerable adults are kept safe from harm. This policy must be read in conjunction with the suite of documents held in share point <http://mdc-sp-web:8088/staffgroups/safepolpro/Policies%20%20Procedures/Forms/AllItems.aspx?RootFolder=%2fstaffgroups%2fsafepolpro%2fPolicies%20%20Procedures%2fPolicy%20and%20Appendices&FolderCTID=0x012000A9A80F0F1D298845A0AF98E24D9CF5D8&View=%7bB79F04C7%2dBBAD%2d4BE2%2dBFE1%2d323507160766%7d>

Definitions of Children ,Young People and Adults at Risk

Children and Young People are defined as up to and including the age of 17 (including unborn babies) , once an individual reaches their 18th birthday they are an adult in this legal context .An extension of this age exists in terms of some service provision for children who are disabled and those in local authority care settings

An Adult at Risk(Vulnerable Adult) is an adult who :

- Has needs for care and support (whether or not the local authority is meeting any of those needs such as elderly or frail due to ill health ,physical disability or cognitive impairment or someone with a learning disability or has a physical disability, or mental health needs including dementia or a personality disorder or a person who misuses substances or alcohol), and
- Is experiencing or is at risk of abuse or neglect, and
- As a result of those care and support needs is unable to protect themselves from either the risk of, or the experience of abuse or neglect.

(Safeguarding Adult Multi- Agency Policy March 2015

Children's Act 2004

Section 11 of the Children's Act 2004 places a duty to make "arrangements to safeguard and promote welfare" on a range of agencies including Councils. This includes making arrangements to ensure that all council functions are discharged having regard to safeguarding and promoting the welfare of children.

Working Together To Safeguard Children is defined as:

- Protecting children from Maltreatment
- Preventing Impairment
- Ensuring that children are growing up in circumstances consistent with the provision of safe and effective care and
- Undertaking that role so as to enable those children to have optimum life chances and to enter adulthood successfully

Safeguarding adults at risk

"The existing legal framework for adult protection is neither systematic neither or coordinated, reflecting sporadic development of Safeguarding Policy over the last 25 years" (Commission for Social Care Inspection)

Care Act 2014 (Supercedes the National Assistance Act 1948)

The Care Act 2014 which came into effect from 1st of April 2015 for the first time, sets out a clear framework for how local authorities and other parts of the health and care system should protect adults at risk of neglect and abuse for the first time in primary legislation.

The care Act 2014 reflects the shift in adult safeguarding policy and practice to ensure local partners work together to prevent harm, promote dignity, empowerment and choice.

The legislation relative to Safeguarding can be found in Appendix 1

Purpose

The purpose of this policy and associated papers is to protect and promote the welfare of children, young people and vulnerable adults using or receiving services provided or commissioned by Mendip District Council and support the Council, its officers, elected members, contractors in fulfilling their statutory responsibilities. Mendip District Council is not a children's service authority and therefore does not have the role of investigating allegations of abuse. However all staff, elected members and contracted service providers have responsibility to take action where

they suspect or recognise that a child, young person or vulnerable adult may be the victim of significant harm or abuse.

Policy Statement

The purpose of this policy is to help Mendip District Council meet its legal and moral obligations to safeguard and promote the welfare of children, young people and vulnerable adults. Mendip District Council performs a wide range of functions and delivers a wide range of services. The Policy aims to ensure that all its activities take place within this context.

The Council will promote the welfare and protection of children, young people and vulnerable adults by:

- Respecting the rights, wishes, feelings and privacy of children, young people and vulnerable adults
- Ensuring all staff understand the different forms of abuse can take and how to identify them
- Responding appropriately and promptly to concerns reported
- Ensuring that employees understand the Council's Safeguarding Policy and Procedure
- Ensuring that employees know how to record and report safeguarding concerns, incidents or allegations
- Take any concern made by an employee, member, contractor, child, young person, vulnerable adult seriously and sensitively
- Ensuring that contracted/commissioned and grant funded services have safeguarding policies and procedures consistent with the Council's commitment to the protection of children, young people and vulnerable adults.
- Ensure that training appropriate to the level of involvement with children and vulnerable adults is available for all employees
- Respond to any allegations appropriately and implementing the appropriate disciplinary and appeals procedures
- Implement effective procedures for recording and reporting to the Council any allegations, incidents or suspicions of abuse
- Ensure that all employees adhere to all appropriate safe working practices when working with children, young people and vulnerable adults.
- Encouraging safeguarding best practice within Mendip District Council
- Not tolerating harassment of any employee, member, contractor or child, young person, vulnerable adult who raises concerns of abuse
- Ensure that unsuitable people are prevented from working with children, young people and vulnerable adults through its recruitment procedure

Scope Of This Policy

This policy applies to:

- All employees (including permanent, full and part time staff, short term or temporary appointments, casual staff and agency staff)
- Contractors whose service provisions or undertakings generate child, young people or vulnerable adults safeguarding risks
- Any other person working for Mendip District Council on Council premises or on Council business and who a member of the public may reasonably assume was a member of staff.

The policy applies to all activities and services as well as facilities for children, young people or vulnerable adults that come under the direct remit or control of Mendip District Council

General Principles

General Principles

The Council's Key Principles on Child protection and safeguarding of adults at Risk are as follows:

- The child, young person or vulnerable adult's welfare is paramount.
- All children, young people and vulnerable adults whatever their age, culture, disability, gender, language, racial origin, religious belief and/or sexual identity, have the right to protection from abuse.
- All suspicions and allegations or incidents of inappropriate behaviour will be taken seriously and responded to swiftly and appropriately.
- Mendip District Council will maintain the strictest confidentiality when dealing with child protection or safeguarding vulnerable adults' issues or concerns, within the limits of what is practicable and within the law.
- Mendip District Council recognises that it is not their responsibility to investigate or deal with adult or child protection issues but to consult with and refer to Adult/Children's Social Care or the Police.
- Where Mendip District Council is able to provide additional support or services to reduce a safeguarding risk then they should take appropriate action to do

so, this may include working with partner agencies to find a resolution

- Staff who have responsibilities for child protection or safeguarding vulnerable adults will receive the necessary training and have access to a designated Safeguarding Lead to assist them to deliver their responsibilities.

Local Safeguarding Children Boards

Local Safeguarding Boards were established by the Children's Act 2004 which gives a statutory responsibility to each locality to have a mechanism in place.

LSCB's are now the key system in each locality of the country for organisations to come together to agree on how they will cooperate with one another to safeguard and promote the welfare of children. The purpose of this partnership working is to hold each other to account and to ensure safeguarding children remains high on the agenda across their area

Partnerships

Mendip District Council is committed to working in partnership with Statutory and Voluntary sector agencies in Somerset to safeguard children and adults at risk representation on the Local Children's Safeguarding Board and the Child Sexual Exploitation Strategic Group in Somerset has been delegated to the Safeguarding lead at Taunton Deane..Mendip District Council is represented at the District Safeguarding Group. The aim of the Group is to share information and best practice.

- **Safeguarding Responsibilities**

Whilst safeguarding is everybody's responsibility, there are a number of specific safeguarding roles that individuals hold with Mendip District Council.

The following is a guide as to the safeguarding roles within the Council:

- **Chief Executive**- overall accountability regarding the safeguarding of children, young people and vulnerable adults.
- **Designated Safeguarding Lead** – The named senior officer is accountable for ensuring the Council has robust Safeguarding Policies and Procedures in place and for overseeing and ensuring that safeguarding incidents are escalated and responded to in an appropriate and timely manner. The safeguarding lead also has responsibility to receive allegations where there is concern for the welfare of a child or adult at risk where an allegation has been made against a representative of the Council .The Senior officer will champion the safeguarding of children and adults at risk within the organisation and in partnership with external agencies

- **Deputy Safeguarding Lead**-The named officer will provide additional advice and support to Safeguarding Champions in relation to complex cases. This officer is responsible for centrally recording information relating to concerns regarding the welfare of children and adults at risk. The officer also has responsibility for coordinating staff training and the activities of the Safeguarding Champions.
- **Safeguarding Champions**- Provide advice and support to Council staff, Members and contractors who wish to raise a safeguarding concern and to ensure they follow the correct procedure. Champions will be responsible for ensuring that Safeguarding concerns are appropriately escalated to the relevant partner agencies and that referral forms are completed and sent to the Safeguarding Lead and Deputy.. Attend safeguarding Champion meetings to provide feedback on the practical application of safeguarding procedures and training within MDC. Deliver safeguarding training to teams allocated to them across MDC. Raise the profile of safeguarding across the teams.
- **Human Resources Strategic Advisor**- works to ensure that stringent recruitment procedures are in place and that appropriate checks are made on staff working with children, young people and vulnerable adults. This includes administering Disclosure and Barring Service (DBS) checks and ensuring that DBS referrals are made if appropriate.
- **Managers**-Ensure that 'safe' recruitment is in place for all job roles that relate to working with children. Carry out the correct safeguarding induction process for all new staff including booking the appropriate training. Ensure that all staff within their remit are made aware of this policy and have the appropriate ongoing training.
- **Employees and Members**-adhering to best practice, participating in relevant training and reporting any disclosure, concern, incident or allegation to the appropriate designated officer.
- **Contractors**- Must agree to comply with the Council's safeguarding policy and procedure for contractors and where relevant have their own policies and procedures in place this will be included in any contract .Mendip District Council will take reasonable care that contractors doing work on its behalf are properly monitored. Where it is necessary for a contractor to have contact with children young people and vulnerable adults the contractor will ensure that

satisfactory disclose and Barring service checks have been completed where appropriate

- **Grant Applications**

Safeguarding policies and procedures are required from all grant funded organisations. In addition satisfactory DBS checks may be required from appropriate individual working with children and vulnerable adults which seek funding from the Council. Such requirements are subject to relevant legislation including the regulated activity criteria contained within the Protection of Freedoms Act 2012. This information will be requested at the grant application stage and applications will not be processed without the relevant documentation.

- **Members**

- Members are required to adhere to the Safeguarding policy and procedures. If they do not, there may be grounds for reporting their behaviour to the Government Committee, which may require an investigation under the member code of conduct. If a safeguarding issue occurs relating to a member, the safeguarding champion must report this to the designated lead immediately. Where there is evidence of illegal activity the member will be reported to the relevant authorities and may face criminal investigation. Annual awareness training will be offered to members.

Rules for Sharing Information with other agencies

The welfare of the child or adult must be the first consideration in all decision making about information sharing.

Professionals can only work together to safeguard and promote the welfare of children or adults if they share relevant information..

Only share as much as is needed to make a decision – but share enough to achieve the purpose for which the information is being shared.

It is good practice to get consent to share information where it is appropriate to do so and will not put the child or adult at risk

If the adult has had mental capacity to make informed decisions about their safety and they do not want any action taken, this does not preclude the sharing of information with relevant professional colleagues. This is to enable professionals to assess the risk of harm and be confident that the adult is not being unduly influenced or coerced or intimidated and is aware of all the options.

It is good practice to inform the adult that this action is being taken unless doing so would increase the risk of harm.

Where a professional has a duty to share the information, consent is not required, for example:

- Where someone would be put at risk of serious harm or
- A criminal offence has taken place
- Members of the wider public could be at risk.

Sharing Information within the Councils

There is little difference in the rules about sharing information within an organisation. The person giving consent might think that the information will not be shared with other agencies. It is always good practice, therefore, to tell them.

If someone has asked for something confidential to be kept from others within an organisation a decision has to be made about whether it is serious enough for information to be shared with someone else.

Protection of Staff and other Service Users

A staff member or another service user might be put at risk if the information is shared between organisations. In these cases, a risk assessment and line management support must be put in place to protect and support that individual.

Staff should discuss issues of confidentiality and information sharing with the adult at risk. If there are no others at risk, get permission to share information with other organisations as required. If the adult does not give consent for you to share information, yet you believe their ability to protect themselves from harm is impaired, you may share information without consent.

If there are other risks, inform the adult of the duty to share information to protect others.

Seven Golden Rules for Information Sharing

1. The Data Protection Act is not a barrier to sharing information but provides a framework to ensure that personal information about living persons is appropriately shared.

2. Be open and Honest with the person (and /or their family where appropriate) from the outset. about why,what ,how with whom information will or could be shared ,and seek their agreement ,unless it is unsafe or inappropriate to do so.

3.Seek Advice if you are in any doubt , without disclosing the identity of the person where possible .

4.Share with consent where appropriate and where possible respect the wishes of those who do not consent to share confidential information. You may still share information without consent if, in your judgement that lack of consent can be overridden in the public interest. Judgement should be based on the facts of the case. All child safeguarding concerns or child sexual exploitation must be shared regardless of consent

5.Consider Safety and Well-being: Base your information sharing decisions on considerations of the safety and well-being of the person and others who may be affected by their actions

6. Necessary, Proportionate, Relevant, Accurate, Timely and Secure: Ensure that the information that you share is necessary for the purpose for which you are sharing it , is shared only with those people who need to have it ,is accurate and up to date , is shared in a timely fashion, and is shared securely.

7.Keep a Record of your decision and the reasons for it- whether it is to share information or not. If you decide to share, then record what you have shared, with whom and for what purpose

The Children Young, People And Vulnerable Adult Safeguarding Policy

Recruitment

Disclosure And Barring Service Checks (DBS)

Before an organisation considers asking a person to make an application for a DBS check, they are legally responsible for ensuring that they are entitled to ask that person to reveal their conviction history. As a guide:

1. Standard checks – To be eligible for a Standard level DBS check the position must be included in the Rehabilitation of Offenders Act (ROA) 1974 (Exceptions) Order 1975.
2. Enhanced checks – To be eligible for an Enhanced level DBS check, the post must be included in both the ROA Exceptions Order and in Police Act Regulations.
3. Enhanced checks with Children's and/or Adults' Barred list check(s) – To be eligible to request a check of the Children's or Adults' Barred lists, the post must meet the new definition of Regulated Activity. See 21. There are a small number of other positions for which you can also request list checks.

The Line Managers of all staff, including temporary, casual and agency staff working with children and vulnerable adults, and those that have 'access' to children or vulnerable adults on a regular basis must provide full details of these job roles and a written explanation of how the legislation supports the application for a DBS check. These should be sent to the H R Services Mendip District Council and copied to the Strategic HR Advisor/ HR officer hr@mendip.gov.uk

If it is decided that the post is eligible for a DBS check the person carrying out the role must not work directly with children or vulnerable adults until the DBS check has been carried out.

Training

Line managers are responsible for ensuring that all staff receive the appropriate level of training relevant to the requirements of their role All new staff including temporary, casual and agency staff must receive induction training regarding the Mendip District Council Safeguarding Policy and Procedure.

All new staff, including temporary, casual and agency staff who may have access to or work directly with children, young people and vulnerable adults must receive

induction training regarding the Mendip District Council Safeguarding Policy and Procedures on commencement of employment

All staff working with children, young people and vulnerable adults, and those who have access to children young people and vulnerable adults on a regular basis must attend a Child and Vulnerable Adults Protection Training course. The level and nature of training and the frequency of refresher training will be identified by the line manager.

The Safeguarding lead will receive comprehensive training with a refresh every three years. Identified 'Champions' will receive basic induction training in order to help people to identify the correct procedures and course of actions should an incident arise.

Photography And Use Of Images In Publications

Generally, formal written permission should be obtained for the use of any images, whether of a child, young person or adult as these are classed as personal information and, as such, are governed by the provisions of the Data Protection Act. For a child, young person, or a vulnerable adult who is unable to make a decision for themselves and requires care and support written permission must be obtained from a holder of parental responsibility for the individual.

In the case of young people, specific written parental consent must be obtained for the reproduction of images in any publication or media format.

For more information please refer to the 'Digital Images of children' guidance on the Somerset Local Safeguarding Children Board website:

http://www.somersetsafeguardingchildrenboard.org.uk/view_folder.asp?folderid=5795&depth=2&rootid=5741&level2id=&level1=5741&level2=5795

General Rules Of Behaviour With Children

This guidance is vital, as it will protect staff and volunteers from allegations of abuse. **You should never:**

- Spend excessive amounts of time alone with children away from others.

- Engage in rough physical activities including horseplay – apart from structured activities.
- Allow or engage in any form of inappropriate touching.
- Allow children to use inappropriate language unchallenged.
- Reduce a child to tears as a form of control.
- Contact children using a personal mobile phone
- Call children names
- Make sexually suggestive comments about or to a child even in fun.
- Let an allegation a child makes during a group session go unchallenged or unrecorded.
- Do things of a personal nature for children that they can do themselves. If you do have to do things of a personal nature for children (e.g. take to toilet, help dress) particularly if they are very young or children with disabilities, then you should obtain the full written consent of their parents. In an emergency situation, which requires this type of help, parents should be fully informed as soon as is practicable.
- Take children alone in a car or on a journey, however short. Where such a need arises and is unavoidable, you should contact the parent/carer and your supervisor and let them know of your plans.
- Invite or allow children to stay with you at your home or arrange meetings away from your place of work.

Contractors, Clubs ,Organisations Generally, contractors working on our premises will have a secure area to work from or will have the whole facility to themselves without public access. Where occasions arise where there is concurrent use with the public, then the manager of the premises/facility must take appropriate steps to ensure that contact with children is limited, in the form of a written and agreed risk assessment, and any contact with children in particular is carefully controlled. Contractors must carry ID and be signed into and off the premises.

- Clubs and organisations using Council facilities to provide activities or events for children or vulnerable adults should be asked for evidence of their safeguarding policy and evidence that their key coaches/instructors/leaders have been DBS cleared.

Legal Duties –What Does Safeguarding And Promoting The Welfare Of children, Young People and Vulnerable Adults Mean?

Working Together To Safeguard Children 2013 is defined as:

- Protecting children for maltreatment
- Preventing impairment of children’s health or development
- Ensuring that children are growing up in circumstances consistent with the provision of safe and effective care and
- Undertaking that role so as to enable those children to have optimum life chances and to enter adulthood successfully

Definitions Of Children Young People Vulnerable Adults

- **Children and Young People**-are defined in law as up to and including the age of 17 once an individual passes their 18th birthday, they are adult in this legal context. An extension of this age exists in some statutory provision for children who are disabled and for those in Local Authority care settings

A Vulnerable Adult-is anyone aged 18 or over whose ability to protect himself or herself from harm or exploitation is limited. This might be because of age and frailty, mental or physical illness, sensory loss or physical or learning disabilities It might be someone who is usually able to manage but is temporarily unable to do so because of an accident or illness.

Recognising Potential Abuse

- Even though many employees, members and contractors have limited contact with children young people and vulnerable adults as part of their duties and responsibilities for Mendip District Council, everyone should be aware of the potential signs of abuse and bullying and be clear about what to do if they have concerns.

There are four types of abuse that can affect children, young people and vulnerable adults:

- **Physical**
- **Sexual**
- **Emotional**
- **Neglect or acts of omission**

In addition to these vulnerable adults can also suffer from:

- **Financial**
- **Discriminatory**
- **Institutional Abuse**

Each type of abuse is detailed in full in Appendix 3

Remember it is not up to you to decide if abuse has taken place, but it is your legal duty to report any concerns about the safety of a child, young person or vulnerable adult even if they do not involve Mendip District Council or service.

Somerset County Council's social care services for adults and for children and young people have the responsibility for the investigation any safeguarding issues.

Human Trafficking

Mendip District Council recognises that local authorities have clear responsibilities under the Council of Europe 2006 declaration on the fight against trafficking to which the UK is a signatory. Staff should discuss any concerns they have with a designated officer. Signs that trafficking may be occurring are available in appendix 4 along with details of the human trafficking centre(UKHTC) which is a national organisation that can provide advice

Child Sexual Exploitation (C.S.E.)

Child sexual exploitation is child abuse, so child protection procedures must be followed. [Child sexual exploitation is a safeguarding matter and as part of this policy](#)

the council commits to address its impact. Appendix 5 provides greater detail on the matter.

Prevent.

The counter terrorism and security act 2015 requires local authorities to prevent persons being drawn into terrorism in the United Kingdom which can involve the exploitation of vulnerable people, including children, young people and vulnerable adults to involve them in terrorism or an activity in support of terrorism. Prevent is a Safeguarding issue and as such is included in this policy. Appendix 6 contains full details.

Dealing With & Reporting Suspected Abuse

Mendip District Council has established reporting procedures to ensure users of the a service know what to do if abuse is suspected/alleged to have occurred

If a child or vulnerable adult reveals that they are being abused, staff ,members and Contractors should

- Reassure them they were right to tell you
- Do not ask leading questions
- Keep a written record of what was said in their own words

Do not promise to keep what you have been told a secret as it is your responsibility to inform others

The guidance presented in 7 provides guidance on what should be done in the event of abuse being suspected

There are various forms of abuse and a description of the different forms of abuse and what to look for is attached in Appendix 3

Managers should additionally refer to the booklet 'What to do if you're worried a child is being abused' which provides background, information and good practice. It is currently available as a downloadable PDF file from <http://www.dh.gov.uk/assetRoot/04/06/13/04/04061304/PDF>

Responding To A Concern About A Child, Young Person, Vulnerable Adult

What Responsibilities Do Officers, Members Have?

It is not staff or members responsibility to determine whether abuse is taking place, however, it staff and members legal duty to report any concerns that they have about a child ,young person or vulnerable adult even if it does not involve Mendip District Council staff or service.

Somerset County Council's social care services for adults and for children and young people have the responsibility for any safeguarding issues

Appendix 8 shows the agreed procedure for reporting suspected abuse

Dealing With Allegations Of Abuse By A Member Of Staff

In spite of the precautions, measures, procedures and training, children or vulnerable adults can be subjected to abuse by staff working or coming into contact with them.

Any allegation of abuse must be taken seriously

In the event of an allegation, one or more of three possible courses of action will be taken:

- A police investigation of a possible criminal offence;
- Enquiries and assessment by Children's/Adult's Social Care about whether a child, young person or vulnerable adult is in need of protection or in need of services;
- Consideration by the Council of disciplinary action in respect of the individual involved.

Guidelines for dealing with allegations against a member of staff are detailed in Appendix 9. The guidelines must be followed to conclusion even if the person involved tenders his or her resignation. It is important that every effort is made to reach a conclusion in all cases of allegations bearing in mind the safety or welfare of children, young person or vulnerable adults, including any in which the person concerned refuses to co-operate with the process. Wherever possible, the person should be given a full opportunity to answer the allegation and make representations about it.

The Council will not agree to any 'compromise agreements' – whereby the person agrees to resign and disciplinary action is dropped, and both parties agree a form of words to be used in any future reference. Such agreements are illegal in these

circumstances and such an agreement will not prevent a thorough police investigation where appropriate, nor can it override an employer's statutory duty to make a referral to the Independent Safeguarding Authority (ISA).

The Strategic HR Advisor will ensure that a clear and comprehensive summary is kept of any allegations made, details of how the allegations were followed up and resolved, and of any action taken and decisions reached. These should be kept in a person's confidential personnel file and a copy should be given to the individual. Such information should be retained on file, including for people who leave the organisation, at least until the person reaches normal retirement age, or for 10 years if that is longer. The purpose of the record is to enable accurate information to be given in response to any future request for a reference. It will provide clarification in cases where a future DBS Check reveals information from the police that an allegation was made but did not result in a prosecution or a conviction. It will also prevent unnecessary re-investigation if, as sometimes happens, allegations resurface after a period of time.

Suspension will be considered, as a neutral act, in any case where there is cause to suspect a child, young person or vulnerable adult may be at risk of significant harm, or the allegation warrants investigation by the police, or is so serious that it might be grounds for dismissal. This guide is designed to inform the most appropriate action in relation to concerns about members of staff, volunteers or councillors.

Confidentiality

Employees and Members have a duty to share information relating to suspected abuse with Adult Social Care Somerset County Council and Avon and Somerset Police

Employees And Members Must Not:

- Discuss any allegation of abuse or bullying, substantiated or not with anyone from Mendip District Council ,other than the safeguarding champion or safeguarding lead
- Discuss any allegations of abuse or bullying, substantiated or not with any member of an external agency (excluding Adult Social Care Somerset County Council or Avon and Somerset Police),other than as part of a formal investigation
- Discuss any allegations of abuse or bullying, substantiated or not ,with any other interested party, including parents ,carers and relatives of the child

young person or vulnerable adult without the express permission of the person with the overall responsibility for the investigation

This does not exclude the employee or member from the need or right to consult with a solicitor, trade union representative or other bona fide legal advisor

Consent is not required to breach confidentiality (capacity issues must be considered) and make a safeguarding referral where:

- A serious Crime has been committed
- Where the alleged perpetrator may go on to abuse other adults
- Other vulnerable adults are at risk in some way
- The vulnerable adult is deemed to be a serious risk
- There is a statutory requirement such as the Children's Act 1989, Mental health Act 1983, Care Standards Act 2000
- The public interest overrides the interest of the individual
- Where a member of staff of a statutory service, a private or voluntary service is the person accused or abuse malpractice or poor professional standards

Data Protection

All copies of referral form to Adult Social Care/Children's Services Somerset County Council should be retained by the designated safeguarding lead in a secure location to ensure confidentiality. This information will be retained in accordance with data protection requirement. No other copies should be kept

Whistle Blowing Policy

Mendip District Council is committed to the highest possible standards of openness and accountability. In line with that commitment **we expect both employees and members of the public, who have serious concerns about any aspect of the Council's work to come forward and voice their concerns.**

Policy and Procedure for confidential reporting of concerns ("Whistle blowing")

are available through customer services on 0300 3038588 or via the Mendip District Council website www.mendip.gov.uk

Complaints Procedure

Mendip District Council will maintain an open culture where employees, elected members, volunteers, children, parents and carers feel able to express concerns both about a child, young person or vulnerable adult safeguarding issues and issues around poor practice when dealing with children or vulnerable adults. A complaints procedure for members of the public, parents young people and vulnerable adults is available through Mendip District Council 0300 303 8588 or via the Mendip District Council website www.mendip.gov.uk

11. Escalation Policy

Mendip District Council will adopt the Somerset Local Safeguarding Children's Board Escalation procedure which provides a straightforward means of resolving professional differences in view of specific cases, in order to safeguard the welfare of children, young people and vulnerable adults.

Disagreements could arise between professionals or agencies in a number of areas, but are most likely to arise around, roles and responsibilities of agencies, the need for action concerning the welfare of a child, young person or vulnerable adult and communication.

- The aim should be to resolve disagreements at practitioner/fieldworker level between agencies.
- Attempts at problem resolution may leave one worker/agency believing that the child or vulnerable adult remains at risk of significant harm. This person/agency has responsibility for communicating such concerns through the agreed channels.
- It is important that staff keep a written record of the dispute and any action taken during each stage of the resolution process.
- **Employee Assistance**
-
- Due to the emotional nature of safeguarding issues counselling will be made available to those employees who have been involved in a case(s) and require support. If you feel that this would be helpful to you speak to your manager, Human Resources or use the free confidential support service from Care First 0800 174319
- A list of useful contact details can be found in Appendix 10

