

Eden District Council

Cabinet

20 September 2022

Safeguarding Policy

Portfolio:	Communities Portfolio
Report from:	Assistant Director – Customers, Performance & Housing
Wards:	All Wards
OPEN PUBLIC ITEM	

1 Purpose

- 1.1 To seek the approval of the updated Safeguarding Policy and delegated approval for the associated Safeguarding Procedures.

2 Recommendation

- 2.1 It is recommended that Cabinet approve the Safeguarding Policy attached at Appendix A.
- 2.2 It is recommended that approval of the Safeguarding Procedures is delegated to the Safeguarding Lead and Portfolio Holder for Communities.

3 Report Details

- 3.1 Safeguarding is a collective responsibility and is about protecting people's health, wellbeing and right to live free from harm, abuse or neglect and everyone who comes into contact with children and adults at risk has a role to play. No single agency can achieve the support and protection of children, young people and adults at risk alone and this is recognised in the relevant legislation which places a duty on organisations to work together to prevent and stop the risk and experience of abuse or neglect.
- 3.2 Our current Safeguarding Policy and processes need to be reviewed to ensure that the Council continues to fulfil its obligations with regards to safeguarding adults and children in our district.
- 3.3 This Policy aims to ensure that a consistent approach to safeguarding is embedded across all Council services, policies and procedures and that Officers, Members, volunteers and those delivering contracts on behalf of the council understand their role and responsibilities in promoting the welfare of children, young people and adults at risk.
- 3.4 It is important that our procedures are clear to all officers and Members, and we embark on an appropriate training programme for safeguarding.
- 3.5 The policy is attached in Appendix A.
- 3.6 With regards to Local Government Reorganisation, there is a working group looking at safeguarding policies and procedures for the new authorities.

4 Policy Framework

4.1 The Council has four corporate priorities which are:

- Sustainable;
- Healthy, safe and secure;
- Connected; and
- Creative

4.2 This report meets the Healthy, Safe and Secure corporate priority.

5 Consultation

5.1 Consultation has been carried out with the Portfolio Holder for Communities, Housing Needs and Policy Officer, and the CSP Co-ordinator.

6 Implications

6.1 Financial and Resources

6.1.1 Any decision to reduce or increase resources or alternatively increase income must be made within the context of the Council's stated priorities, as set out in its Council Plan 2019-2023 as agreed at Council on 7 November 2019.

6.1.2 There are no proposals in this report that would reduce or increase resources.

6.2 Legal

6.2.1 District Councils in the local government area are under a duty to cooperate and are expected to fulfil their duties under the Children Act 2004. However, the key responsibility for safeguarding lies with the County Council, or unitary authority, etc and it is important to remember that it is not the responsibility of any Member, officer, volunteer or contracted service provider to determine whether abuse is or has taken place.

6.2.2 The role of the Member, officer, volunteer or contracted service provider is to inform, not to investigate or judge. Eden District Council is not responsible for investigating any safeguarding incidents or allegations, involving children, young people or vulnerable adults.

6.2.3 Where the Council is engaged with partner agencies around cross-cutting issues such as domestic violence, tackling, racism and hate crimes, etc, issues regarding safeguarding may also emerge and need to be considered.

6.3 Human Resources

6.3.1 There are no Human Resources implications arising out of this proposal.

6.4 Environmental

6.4.1 There are no significant effects on carbon emissions and ecosystems as a result of this policy.

6.5 Statutory Considerations

Consideration:	Details of any implications and proposed measures to address:
Equality and Diversity	There is no adverse effect on Equality & Diversity. An EIA has been carried out & is attached as an appendix to this report.
Health, Social Environmental and Economic Impact	This policy is very important in delivering this statutory consideration with regards to health and social
Crime and Disorder	No direct impact
Children and Safeguarding	This policy is very important in delivering this statutory consideration.

6.6 Risk Management

Risk	Consequence	Controls Required
Risks to public, and reputational risk to Council	Failing to act on a safeguarding issue could lead to a serious case review which would affect the Council's reputation	Policy and procedures are implemented and monitored, and training offered to all officers and Members

7 Other Options Considered

7.1 There are no alternatives to having a Safeguarding Policy as we need to deliver on our statutory obligations.

8 Reasons for the Decision/Recommendation

8.1 As a Council we have to deliver our statutory obligations.

Tracking Information

Governance Check	Date Considered
Chief Finance Officer (or Deputy)	7 September 2022
Monitoring Officer (or Deputy)	7 September 2022
Relevant Assistant Director	18 August 2022

Background Papers:

Appendices:

Appendix A - Safeguarding Policy

Appendix B - Equality Impact Assessment

Contact Officer:

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Approved by:
 Date Approved:
 Review Frequency:
 Responsible Officer: Deputy Chief Executive

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Safeguarding Policy

Version Control Table

Version	Date	Detail	Author	Approver
1.0		Final draft as approved	Amanda Yellowley	Cabinet
Next review date:				

Accessibility Information

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Polish

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Traditional Chinese

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Urdu

اس دستاویز میں شامل عمل و ما صہ درج اس تکئی ے جلے پر ملحقہ زبیلوں اور فارمیٹوں (شرکیوں) میں دستیاب ہے۔ ایڈن ڈسٹرکٹ کائونسل کے افسر برائے مواصلات سے فون نمبر 01768817817 پر رابطہ کریں یا communication@eden.gov.uk پر ای میل لگیں۔

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Introduction

Safeguarding is everybody's business. Safeguarding is about protecting people's health, wellbeing and right to live free from harm, abuse or neglect and everyone who comes into contact with children and adults at risk has a role to play. No single agency can achieve the support and protection of children, young people and adults at risk alone and this is recognised in the relevant legislation which places a duty on organisations to work together to prevent and stop the risk and experience of abuse or neglect.

In recent years safeguarding duties placed on district councils have been extended beyond safeguarding children and adults at risk to encompass domestic abuse and violence, child sexual exploitation, honour based abuse and forced marriage, female genital mutilation and Prevent (the Government's Counter Terrorism Strategy). District councils are also expected to have organisation policies, procedures and practices in place for disseminating learning from domestic homicide reviews, serious case reviews and other reviews of this nature.

This Safeguarding Policy aims to ensure that a consistent approach to safeguarding exists across all Council services, policies and procedures. It outlines key roles and responsibilities of individual officers and elected members to embed safeguarding policies, practices and procedures into the Council.

Partnership working is key to effective safeguarding and the Council works in partnership with other agencies with a role to play in relation to the welfare of its residents, aiming to ensure they are protected against abuse, neglect and exploitation.

The policy is accompanied by a set of operational procedures which are located on the Council's intranet and listed at section 7. These include:

- Information about the signs and types of abuse.
- Procedures for employees, elected members, contractors and volunteers to follow when recording a safeguarding concern.
- Guidance on how and when to share information about a safeguarding concern.
- Contact details of Eden District Council's Designated Safeguarding Lead.

The policy applies to all Eden District Council employees, elected members, volunteers, or anyone delivering services on behalf of or representing the Council.

1 Policy Statement

Eden District Council is committed to safeguarding its residents from all forms of neglect, abuse or exploitation and to helping improve resilience and wellbeing through our role in corporate parenting.

This Policy aims to ensure that a consistent approach to safeguarding is embedded across all Council services, policies and procedures and that employees, elected members, volunteers and those delivering contracts on behalf of the council understand their role and responsibilities in promoting the welfare of children, young people and adults at risk.

The Council will make sure that safeguarding and corporate parenting issues are considered in decision making processes and through service provision so that the needs and interests of children, young people, and adults with care and support needs are taken into account.

Information sharing plays a critical role in safeguarding, both in prevention and detection. Serious case reviews consistently highlight information sharing as a key issue to be addressed by partners. The Council is committed to robust interagency working and partnerships between local council services, health, police, and the voluntary sector, encourages openness and will ensure that learning from interventions is used to inform and improve current and future practice and policies.

The Council will create an environment where employees, elected members and volunteers are encouraged to think of safeguarding as being their responsibility and are adequately trained to be able to play a full and active part in the delivery of the Council's policy approach.

The Council will ensure that this policy is kept under review so that it, and any linked procedures and processes, complies with all relevant legislation. The Council's legal duties are outlined below and a summary of key legislation can be found at **Appendix A: Legislative Framework**.

The Council will ensure that all employees, elected members, partners and volunteers can easily refer to this policy and that it and the accompanying guidelines and procedures are readily available.

2 Scope of policy

This Policy and associated procedures apply to all employees, volunteers and elected members at Eden District Council. It covers all of the Council's services, as well as operations of partners, contractors and voluntary organisations that deliver services on its behalf. Those agencies must maintain or develop their own safeguarding statements to reflect this document.

The Council has a number of functions that impact upon the lives of children and families. Consequently, the Council accepts it has a significant role to play in safeguarding children, young people and adults at risk, and the promotion of their welfare. Particularly relevant service areas are: Housing Options; Leisure, Parks and Open Spaces; Licensing; Environmental Health; Planning; Housing Enforcement; Customer Services, Eden Local Focus Hub.

Employees, elected members, volunteers and contracted services providers are likely to have varied levels of contact with children, young people and adults at risk as part of their duties and responsibilities for the Council. This might be someone on the front desk in reception, a child in a family seen in the course of a home or site visit, or a resident on the phone. Everyone needs to be aware of the potential indicators of abuse and neglect and be clear about what to do if they have concerns.

It is not the responsibility of any one individual to decide whether abuse has taken place, however it is the responsibility of every individual to take appropriate action where there is a risk of harm, abuse or neglect to a child or adult. All employees and elected members should follow this policy and the associated procedures when reporting a safeguarding concern.

The key responsibility for safeguarding lies with Cumbria County Council. Eden District Council is not responsible for investigating any safeguarding incidents or allegations, involving a child, young person or adult at risk (except where allegations are made against an employee where usual HR policies will apply). So, it is not the responsibility of any elected member, employee, volunteer or contracted service provider to determine whether abuse is taking or has taken place. It is vital however, that the Council works closely with the county council and other partner agencies to ensure that children, young people and adults at risk are kept safe from harm.

This Policy relates to the following areas:

- Safeguarding and Promoting the Welfare of Children and Young People

This encompasses the protection and welfare of children under the age of 18 (including unborn babies). It also incorporates the additional aims of preventing the impairment of children's health and development; ensuring they grow up in circumstances consistent with the provision of safe and effective care.

Information on types of abuse children can suffer can be found in Section 4 of the Safeguarding Operational Procedures.

- Safeguarding Adults

This encompasses the protection from harm or neglect of a person aged 18 and over who may need community care services due to a disability, age or illness, who cannot take care of, or protect themselves from significant harm or exploitation. Adults with care and support needs should be supported in maintaining control over their lives and to make informed choices without coercion.

Information on types of abuse of adults can be found in Section 4 of the Safeguarding Operational Procedures.

- Child Sexual Exploitation

Child Sexual Exploitation (CSE) is illegal activity by people who have some form of power and control over children and use it to sexually abuse them. It involves forcing or enticing a child (under the age of 18) to take part in sexual activities whether or not the child is aware of what is happening. This includes exploitative situations, contexts and relationships where children (or a third person or persons) receive 'something' (eg food, accommodation, drugs, alcohol, cigarettes, affection, gifts, money) as a result of performing, and/or others performing on them, sexual activities. CSE can be a form of organised or complex abuse, involving a number of abusers and/or a number of children.

CSE can occur through use of technology without the child's immediate recognition, for example the persuasion to post sexual images on the internet/mobile phones with no immediate payment or gain. In all cases those exploiting the child/young person have power over them by virtue of their age, gender, intellect, physical strength and/or economic or other resources.

- Domestic Abuse and Violence

Domestic abuse is defined within the Domestic Abuse Act 2021. Domestic Abuse includes any incident or pattern of incidents of controlling, coercive or threatening behaviour, physical, sexual, psychological, emotional, economic or other abuse, between those aged 16 or over who are or have been intimate partners or family members regardless of gender or sexuality. Children who see, hear or experience the effects of the abuse and are related to the parties involved are also included.

- Honour Based Abuse, including Female Genital Mutilation and Forced Marriage

Honour based abuse is violence and abuse in the name of honour, covering a variety of behaviours (including crimes), mainly but not exclusively against females, where the person is being punished by their family and/or community for a perceived transgression against the 'honour' of the family or community, or is required to undergo certain activities or procedures in 'honour' of the family.

Female Genital Mutilation (FGM) is a collective term for illegal procedures which include the removal of part/all external female genitalia for cultural or other nontherapeutic reasons. The practice is not required by any religion. It is painful, medically unnecessary and has serious health consequences at the time it is carried out and in later life. The procedure is typically performed on girls of any age, but is also performed on newborn girls and on young women before marriage/pregnancy. A number of girls die as a direct result of the procedure, from blood loss or infection.

FGM may be practised illegally by doctors or traditional health workers in the UK, or girls may be taken abroad for the operation.

A forced marriage “is a marriage conducted without the valid consent of both parties, where duress is a factor” (‘A Choice by Right’ HM Government 2000).

- Prevent

Prevent is a Government Strategy led by the Home Office and focuses on working with individuals and communities who may be vulnerable to the threat of violent extremism and terrorism. Supporting individuals at risk and reducing the threat from violent extremism in local communities is priority for statutory partners and their partners.

- Modern Slavery

Modern slavery or human trafficking involves the recruitment, transportation, transfer, harbouring or receipt of people who, with the threat or use of force, coercion, abduction, abuse of power or deception are exploited for the purposes of prostitution, forced labour, slavery or other similar practices. Victims are trafficked all over the world, including in and around the UK.

Details of the lead agency, relevant partnership arrangements and Council lead officers appointed to drive and champion these issues throughout the Council can be found in Section 7 of the Safeguarding Operational Procedures.

3 Legal Duties

Safeguarding Children and Young People

The Children Act 2004 imposes a duty on key statutory agencies to safeguard and promote the welfare of children (in sections 10, 11 and 13 of the Act). This specifies what is required of the Council, including:

- Senior management commitment to the importance of safeguarding and promoting the welfare of children and young people
- A clear statement of the Council’s responsibilities towards children and young people be available for employees, members, volunteers, contracted services and the public
- A clear line of accountability within the organisation for reporting safeguarding concerns
- Service development that takes account of the need to safeguard and promote welfare – and is informed by the views of children, young people, and their families
- Safe recruitment procedures
- Training on safeguarding and promoting the welfare of children and young people available for all members, employees and volunteers
- Clear protocols on safe working practice known to members, employees and volunteers
- All contracted services and grant funded organisations have appropriate safeguarding policies and procedures in place
- Safeguarding policies and procedures of contracted services and grant funded organisations are regularly monitored
- Effective inter-agency working to safeguard and promote the welfare of children and young people

- Effective information sharing
- Using the views of children and young people to help shape services

The Children Act 2004, as amended by the Children and Social Work Act 2017, strengthens the important area of co-operation by placing new duties on key agencies in a local area. Specifically, the police, clinical commissioning groups and the local authority are under a duty to make arrangements to work together, and with other partners locally, to safeguard and promote the welfare of all children in their area.

The governments' guidance document 'Working together to Safeguard Children 2018' adds detail to the statutory duties set out in the Children Act 2004 and makes clear that everyone who comes into contact with children and families has a role to play.

The core principle of both the Act and the guidance is the protection of children and promotion of their wellbeing through an integrated approach by all statutory agencies that work with children. Cumbria County Council is the principal authority responsible for children services. However, other agencies such as the Police, the NHS and district councils are required to consider safeguarding when planning and delivering or commissioning their services.

Corporate Parenting Principles

Section 1 of the Children and Social Work Act 2017 sets out corporate parenting principles stating that local authorities must 'have regard to the need' to take certain actions in their work for children in care and care leavers. These principles complement existing duties already set out in legislation. District councils need to consider the extent to which the corporate parenting principles are relevant to a particular service area or exercise of a particular function. This should be a reasonable and proportionate evaluation based on the extent to which the service/function is being carried out in relation to looked-after children and/or care leavers. The service areas where consideration of the corporate parenting principles are of most relevance for district councils are: housing, leisure and recreation, strategic policies (such as health and well-being plans) and council tax.

Safeguarding Adults

The Care Act 2014 provides the legal framework for how local authorities (in this case Cumbria County Council) and other parts of the system such as relevant partners (which includes Allerdale Borough Council as a district council) should protect adults at risk of abuse or neglect. The Council has a duty to co-operate with Cumbria County Council in the exercise of:

- (a) their respective functions relating to adults with needs for care and support
- (b) their respective functions relating to carers, and
- (c) functions of theirs the exercise of which is relevant to functions referred to in paragraph (a) or (b).

The Care Act 2014 sets down a general duty on all local authorities to promote wellbeing in relation to how adults are treated - and the following must form part of that:

- personal dignity and respect
- physical and mental health and emotional well-being
- protection from abuse and neglect

- control by an adult over their day-to-day life (including care and support and how it is provided)
- participation in work, education, training or recreation
- social and economic well-being
- domestic, family and personal relationships
- suitability of living accommodation
- the individual's contribution to society

Prevent

The Counter-Terrorism Act 2015 dictates that local authorities are vital to the Prevent work which exists to reduce the risk of people being drawn into terrorism. The Prevent duty places a duty on district councils to participate in co-ordinated Prevent activity focused on mitigating radicalisation activity and to build it into their existing safeguarding procedures. The duty includes raising staff awareness, referring concerns and information sharing.

Modern Slavery

Under the Modern Slavery Act 2015 the Council has a statutory duty to report and provide notification to the National Crime Agency about any potential victims of modern slavery or trafficking that we encounter. Adult victims are able to remain anonymous should they wish to do so. The Council are under a duty to co-operate with the Commissioner.

Domestic Abuse

Under the Domestic Abuse Act 2021 Tier One Authorities (in this case Cumbria County Council) have a statutory duty to appoint a multi-agency Domestic Abuse Local Partnership Board; make arrangements for the assessment of, the need for accommodation-based domestic abuse support in their area; prepare and publish a strategy for the provision of such support; give effect to and monitor the strategy and report back to central government. As a District Council we have a duty to co-operate with Cumbria County Council.

The Domestic Abuse Act 2021 has introduced new measures to strengthen protection for those who have experiences abuse. Eden District Council has a duty to provide safe accommodation. We recognise that whilst 2/3rds of victims are women, we also recognise that men and children are also victims, we will make sure we have a consistent response to all genders.

4 Safeguarding Roles, Responsibilities and Governance

Council employees

- All employees are to ensure they familiarise themselves and comply with the Council's Safeguarding Policy and associated procedural documents.
- All employees to undertake necessary training to know how to recognise and respond to concerns of a safeguarding matter.
- Employees will be made aware of their roles and responsibilities through, the induction process, corporate policies and procedures, safeguarding training and job profiles.
- It is the responsibility of employees to consider safeguarding implications in the way they carry out their duties, and in their decision making processes, including the procurement of services.

Elected members

- Scrutinise the Council's Safeguarding Policy and safeguarding reports
- Portfolio Holder with responsibility for safeguarding has responsibility for approving any policy amendments
- Portfolio Holder with responsibility for safeguarding will act as the Council's safeguarding champion
- To undertake necessary training to know how to recognise and respond to concerns of a safeguarding matter
- To consider safeguarding implications in the way they carry out their duties, and in their decision making processes

Contracted out services and volunteers

- The policy applies to all services discharged by Eden District Council, including services discharged on behalf of the Council.
- All external organisations and contractors providing services to the Council are required to comply with the Council's Safeguarding Policy as a minimum standard. Where relevant they should have their own safeguarding policy and procedures in place.

Designated Safeguarding Lead (DSL)

All statutory organisations must have a clear line of accountability and reporting in relation to safeguarding issues. The Deputy Chief Executive is the Designated Safeguarding Lead (DSL) for Eden District Council. The DSL's responsibilities include:

- Development of policy, issuing operational guidance, promoting good practice and making policy recommendations to Council.
- Submit annual progress reports to the Extended Leadership Team and relevant Committees to ensure that the Council's Safeguarding Policy is being met.
- Oversight of all safeguarding concerns in conjunction with the appropriate Designated Safeguarding Officers (DSO).
- Making a referral to the Local Authority Designated Officer (LADO) as appropriate.
- Overseeing completion of the Section 11 audit
- Ensure that action taken is coordinated and monitored.
- Development of safeguarding improvement plans as required.

Extended Leadership Team

- Raise the profile, support the Policy and promote the development of initiatives to ensure the protection of residents within the district.
- Allocate resources to enable the Councils to meet its responsibilities.
- Monitor employees and elected member training.
- Scrutinise and authorise Annual Action Plans.

Designated Safeguarding Officers (DSOs)

The Council will appoint a number of DSOs who will act as the key point of contact between the DSL and front line staff when it comes to raising a safeguarding concern. They will support the DSL in their role and be the first point of contact for reporting and advice to employees and elected members.

DSOs can be appointed at any time and will be trained to safeguarding level 2/3 standard so that they can make referrals to Cumbria County Council or another agency if required. They will support the member of staff whilst ensuring that the information is recorded in line with the operational procedures.

Representation will predominantly be from teams that are public facing and most likely to encounter safeguarding issues.

Service Managers

- Make employees aware of their duty to report any allegations or suspicions of abuse to the DSL/DSO and the procedure for doing so.
- Operate safe recruitment practices and routinely take up and check references.
- Adhere to and operate within the Council's Whistleblowing Policy and support employees that raise concerns.
- Ensure all employees receive training in safeguarding consistent with their job roles and responsibilities.
- Monitor compliance with Council's Safeguarding Policy with contractors, leaseholders and grant recipients as appropriate.

Safeguarding Group

The Council will appoint a Safeguarding Group which brings together members of staff from all departments across the Council and in particular those who are practitioners most likely to encounter safeguarding issues in their day-to-day work. It provides a forum for practitioners to discuss issues and concerns relating to safeguarding.

The Safeguarding Group supports the DSL in the following functions:

- Ensuring that the safeguarding policies are up to date.
- Overseeing implementation of the policy and procedure identifying and resolving any barriers to its effective delivery.
- Assisting in the completion of the Section 11 audit.
- Receiving and reviewing anonymised management information relating to reporting to identify any areas for improvement.
- Developing and monitoring any safeguarding improvement plans.
- Ensuring that the Council complies with safer recruitment procedures.

The Safeguarding Group will meet quarterly. The DSL and DSOs will sit on the forum along with representatives from each Council department.

5 Key Partnerships

Partnership working is key to effective safeguarding and the Council works in partnership with other agencies with a role to play in relation to the welfare of its residents, aiming to ensure they are protected against abuse, neglect and exploitation.

Cumbria Safeguarding Children Partnership

Cumbria Safeguarding Children Partnership (CSCP) came into being in September 2019 replacing the Cumbria Local Safeguarding Children Board (LSCB) as a result of the Children and Social Work Act 2017. The CSCP is led by three named statutory safeguarding partners (Cumbria County Council, Cumbria Constabulary, NHS North Cumbria Clinical Commissioning Group and NHS Morecambe Bay Clinical Commissioning Group).

The safeguarding partners are required to agree on ways to co-ordinate their safeguarding services; act as a strategic leadership group in supporting and engaging others; and implement local and national learning including from serious child safeguarding incidents.

CSCP Board membership includes the statutory partners, chairs of the partnership sub-groups and chairs of the Locality Safeguarding Groups, as well as the other 'relevant agencies' including representatives from education, health, district councils, criminal justice and the voluntary sector. Cumbria's district councils are currently collectively represented on the CSCP by Copeland Borough Council.

Further information on the roles and responsibilities of the CSCP can be found on: www.cumbriasafeguardingchildren.co.uk

Cumbria Safeguarding Adults Board

Cumbria Safeguarding Adults Board (CSAB) works in partnership with organisations across Cumbria to help protect adults with care and support needs from abuse or neglect. The Board leads adult safeguarding across Cumbria and works with organisations to ensure that they have effective safeguarding policies and procedures in place.

The Board includes representation from Cumbria County Council, Cumbria Constabulary, NHS North Cumbria Clinical Commissioning Group and NHS Morecambe Bay Clinical Commissioning Group, Probation service, district councils, NHS Trusts, Healthwatch and a lay member. Cumbria's district councils are currently collectively represented on the CSAB by Barrow Borough Council.

Further information on the roles and responsibilities of the CSAB can be found on: www.cumbriasab.org.uk

North Cumbria Community Safety Partnership

Community Safety Partnerships (CSPs) were formed in 1999 as a result of the Crime and Disorder Act 1998 which placed a duty on local authorities and the Police to form a local partnership and cooperate in the development and implementation of a strategy for tackling crime and disorder in the area and improving community safety.

North Cumbria Community Safety Partnership members include Cumbria Constabulary, Eden Borough Council, Carlisle City Council, Cumbria Fire and rescue, Office of the Police & Crime Commissioner (OPCC), as well as representation from health services, housing associations, probation services and the voluntary sector.

The North Cumbria CSP have supported a number of initiatives such as the Well Being Hub and Taxi Marshal schemes to address problems in the night time economy as well as projects which provide constructive activities for young people.

There is also a statutory requirement for the CSP to undertake a multi-agency Domestic Homicide Review following a domestic homicide to identify what needs to change to reduce the risk of further incidents.

Eden Local Focus Hub

The Eden Local Focus Hubs act as the Tactical Delivery Groups for the South Cumbria Community Safety Partnership (CSP). The Hub takes direction and actions set by the Strategic Group of the Community Safety Partnership whilst also advising the Strategic Group on community priorities and links.

The aims and objectives of the Hubs are: to promote partnership working to prevent anti-social behaviour, crime and disorder; to engage with local communities to proactively identify problem areas; and to tackle issues having a detrimental effect on the quality of life of the local community. The Local Focus Hub undertakes multi-agency meetings/responses with relevant partners in response to issues referred into the Hub.

Eden Local Focus Hub is made up of partners including: Cumbria Constabulary, Eden District Council, Cumbria County Council, Cumbria Fire & Rescue, Probation services, housing associations, third sector agencies, and other partners.

Multi-agency risk assessment conference (MARAC)

The MARAC is a multi-agency risk assessment conference about domestic abuse, it is chaired by the Police. There is a North and West MARAC and Eden District Council is part of the North with our Domestic Abuse Support Specialist attending the weekly meetings.

The MARAC is attended by representatives from Cumbria Constabulary, district councils Housing Options teams, Cumbria County Council Children's Services, housing associations, schools, GP's, children's support groups, Probation service, Victim Support and others. All agencies share what they know about the victims/perpetrators to ensure that the right support is provided.

6 Safeguarding Procedures and Documents

Procedures and key documents are located on the Council's intranet Safeguarding area as follows:

- Safeguarding Flowchart (for reporting safeguarding concerns)
- Safeguarding Notification Form
- Safeguarding Operational Procedures – covering:
 1. Recruitment and training
 2. Working practices
 3. Recognising Abuse
 4. Managing concerns, allegations and individual cases
 5. Information storage, sharing and multi-agency partnership working
 6. Essential contacts and lead agencies

7 Appendix A: Legislative Framework

A summary of some key legislation is listed below, although it should be noted that this list is by no means exhaustive and there are a number of other pieces of legislation that will have bearing on the welfare and wellbeing of children, young people and adults at risk.

Children and Social Work Act 2017

The Act makes several significant changes for safeguarding at both local and national levels, by amending the Children Act 2004. This includes abolishing Local Safeguarding Children Boards and puts duties on three 'safeguarding partners' – the local authority, clinical commissioning groups and police. It introduces corporate parenting principles stating the local authorities must 'have regard to the need' to take certain actions in their work for children in care and care leavers.

The Children Act 2004

Section 11 places a statutory duty on key agencies including district councils to make arrangements to ensure that in discharging their functions they have regard to the need to safeguard and promote the welfare of children. Section 10 outlines the duty to promote inter-agency cooperation between named agencies (including district councils).

Section 13 gives district councils representation on, and participation in, the Local Safeguarding Children Board. As a "Board partner", the Council has a duty to contribute to the effective work of the Board. As such, and under Working Together to Safeguard Children Guidance 2013, the Council has a legal obligation to complete a self-assessment, or audit, of its safeguarding activities around children.

Children and Young Persons Act 2008

The purpose of the Act is to reform the statutory framework for the care system in England and Wales, by implementing the proposals in the White Paper that require primary legislation. This forms part of the Government's programme to ensure children and young people receive high quality care and support. The Act also includes provisions in relation to well-being of children and young people, private fostering, child death notification to Local Safeguarding Children Boards and appropriate national authorities, the powers of the Secretary of State to conduct research and applications for the discharge of Emergency Protection Orders.

Care Act 2014

Sets out a clear legal framework for how local authorities and other parts of the health and care system should protect adults at risk of abuse or neglect.

Safeguarding Vulnerable Groups Act 2006

This created the Independent Safeguarding Authority (ISA), which aimed to prevent unsuitable people working with children, young people and adults at risk across all services. Introduced the new vetting and barring scheme for those working with children and adults at risk, in a paid or voluntary capacity. The Disclosure and Barring Service process requests for criminal records checks; decide whether to place or remove an individual from a barred list; place or remove a person from the children's or adults barred lists for England, Wales and Northern Ireland.

The Mental Capacity Act 2005

The five principles are outlined in the Section 1 of the Act. These are designed to protect people who lack capacity to make particular decisions, but also to maximise their ability to make decisions, or to participate in decision-making, as far as they are able to do so.

Modern Slavery Act 2015

The Modern Slavery Act gives law enforcement the tools to fight modern slavery, ensure perpetrators can receive suitably severe punishments for these appalling crimes and enhance support and protection for victims.

Counter Terrorism and Security Act 2015

The Counter Terrorism and Security Act 2015 place duties on local authorities to ensure that publicly owned premises are not used to disseminate extremist views.

Homelessness Reduction Act 2017

This places new duties on local authorities under Part VII of the Housing Act 1996, to prevent and relieve homelessness, including the requirement to carry out a Personal Housing Plan, as well as placing a duty on public bodies to refer people whom they know are threatened with homelessness. This provision came into force on 3 April 2018.

Domestic Abuse Act 2021

This Act, which came into force on 5 July 2021, provides further protection to domestic abuse victims, and strengthen the measures to tackle perpetrators. This includes for the first time, a legal definition of domestic abuse, including emotional, coercive and controlling behaviour and economic abuse. This provision also includes important new protections to ensure that abusers will no longer be allowed to cross-examine their victims in the family and civil courts.

Domestic Violence, Crime and Victims Act (Amendment) 2012

The Domestic Violence, Crime and Victims (Amendment) Act 2012 extends the offence in section 5 of the 2004 Act to cover causing or allowing serious physical harm (equivalent to grievous bodily harm) to a child or adult at risk.

Domestic Violence, Crime and Victims Act 2004

Domestic Homicide Reviews (DHRs) were established on a statutory basis under section 9 of the Domestic Violence, Crime and Victims Act (2004). This provision came into force on 13 April 2011.

Anti-social Behaviour, Crime and Policing Act 2014

The Act makes it a criminal offence to force someone to marry, and Forced Marriage is now a criminal offence punishable by law.

The Forced Marriage (Civil Protection) Act 2007 makes provision for protecting children, young people and adults from being forced into marriage without their free and full consent.

Sexual Offences Act 2003

In England, the legislation relating to Child Sexual Exploitation is covered under the Sexual Offences Act 2003. Girls and boys under the age of 16 cannot by law, consent to sexual intercourse and anyone engaging in sexual activity (as defined in The Sexual Offences Act 2003) with a child under the age of 16 is committing an offence. Children under 13 years of age cannot under any circumstances consent to sexual activity and specific offences, including rape, exist for child victims under this age.

Female Genital Mutilation Act 2003

The Female Genital Mutilation Act 2003 came into force in March 2004. It introduces the issue of extra-territoriality, which makes it an offence for FGM to be performed anywhere in the world on UK nationals or UK permanent residents. The 2003 legislation also increases the penalty for aiding, abetting or counselling to procure FGM to 14 years imprisonment or a fine or both.

Equality Act 2010

The Act makes it unlawful to discriminate against people on the basis of age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex; and sexual orientation.

Data Protection Act 2018

This act replaced the Data Protection Act 1998. It relates to recording information, including information about children. Under the act, personal information must be obtained fairly and processed lawfully. Information can only be shared in certain circumstances and it has to be accurate, relevant and kept securely.

Equality Impact Assessment Template

Please refer to “Equality Impact Assessments Guidance Notes” when completing this form.
These can be found on Sharepoint in the Corporate Centre.

1. About the Policy/Service/Function

Name of Policy/Service/Function being assessed	Safeguarding Policy
Job Title of Officer completing EIA	Amanda Yellowley, Assistant Director – Customers, Performance and Housing
Department/service area	Resources/Communities
Telephone number and email contact	
Date of Assessment	10/08/2022
Main aims and objectives of policy/service/function	Safeguarding of Children and vulnerable Adults
Is this a	(please copy ✓ and place into appropriate box)
<ul style="list-style-type: none"> • New Policy/service/function or a proposal? • Review of an existing policy? • A changing/updated policy/service/function? 	<input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>
Who are the stakeholders?	
Children & vulnerable adults	
All Council officers & Members	

2. Gathering Relevant Information, Evidence, Data and Research

Consider the sources of information, evidence, data and research that will help you build up a picture of the likely impacts of your policy/service/function on the protected characteristic groups.

List your sources of information and what they tell you. (Refer to Section 7.0, Step 2 on page 6 of the Guidance Notes).

Information Source	Location of data/information (give a link here if applicable)	What does the data/information tell us?
Cumbria Observatory	Population - LTLA Eden InstantAtlas Reports (cumbriaobservatory.org.uk)	14% of the population are 14 or under; 60% aged 15-64; 27% over 65
		96% of the population are UK Nationals; 3.8% non-uk nationals
		Ethnicity – 0.6% are Asian/British Asian compared to 7.8% in the rest of England; 0% Black/African/Caribbean/Black British compared to 3.5% (England)
		Marital status - 54% are married; 0.2% are in a same-sex civil partnership; 26.9 % are single; 8.2% are widowed
		Religion – 70.7% are Christian; 0.2% Buddhist;0.1% Hindi; 0.1% Jewish; 0.2% Muslim; other 0.3%; Sikh 0%
Projecting Adult Needs and Service Information	Projecting Adult Needs and Service Information System (pansi.org.uk)	Approximately 2.4% of Eden's population aged 18-64 years old are estimated to have a learning disability
		Approximately 6.7% of Eden's population aged 18-64 years old have a disability that affects their mobility
		Approximately 11.5% of Eden's population aged 18-64 years old are predicted to be survivors of childhood sexual abuse
Projecting Older People Population Information	Projecting Older People Population Information System (poppi.org.uk)	Approximately 18% of Eden's population aged 65 years and over have a disability that affects their mobility

		Approximately 2% of Eden's population aged 65 years and over have a learning disability
Domestic Abuse in England and Wales- Lookup Tool	Domestic abuse in England and Wales – Data tool - Office for National Statistics (ons.gov.uk)	In Cumbria 9,134 domestic abuse related incidents and crimes were recorded in the year ending March 2021. Equivalent to 18 incidents and crimes for every 1,000 in the population
		19% of all recorded crimes were classified as domestic abuse related in Cumbria in the year ending March 2021
		In Cumbria 1,127 stalking and harassment offences were recorded in the year ending March 2021
		In Cumbria 36 cases per 10,000 females were discussed at MARACs in the year ending March 2021
		In Cumbria 28% of cases discussed at MARACs in the year ending March 2021 were repeat cases
		In Cumbria 9% of cases discussed at MARACs in the year ending March 2021 involved a male victim

3. Assessing the Impacts

From the information, evidence, data and research you have gathered, use this section to identify the risks and benefits for each of the different protected characteristic groups.

Protected Characteristic Group	Positive Impact or benefit (Y/N)	Negative Impact or risk (Y/N)	No impact (✓)	Details of likely impact(s)	How do you know?	Action required to address impact(s) Give justification if action not possible	Note any opportunities to promote equality

Age	✓			Process is clear for the safeguarding of children & vulnerable adults			
Disability	✓			Process is clear for the safeguarding of children & vulnerable adults			
Gender			✓				
Race			✓				
Religion or Belief (including non-belief)			✓				
Marriage and Civil Partnership			✓				
Pregnancy and Maternity			✓				
Gender Reassignment			✓				
Sexual Orientation			✓				
Rural Resident			✓				

4. Action Planning

What is the negative/ adverse impact or area for further action?	Actions proposed to reduce/eliminate the negative impact	Who will lead on the action(s)?	Resource implications/ resources required	When? (target completion date)	Monitoring Arrangements

5. Outcome of Equality Impact Assessment (tick appropriate box)

No major change needed - the analysis shows the policy is robust and evidence shows no potential for discrimination

Adjust the policy/service/function - alternatives have been considered and steps taken to remove barriers or to better advance equality. Complete the action plan.

Adverse impact(s) identified but continue - this will need a justification or reason. Complete the action plan.

✓

6. Review

Date of the next review of the Equality Impact Assessment	
Who will carry out this review?	TBA