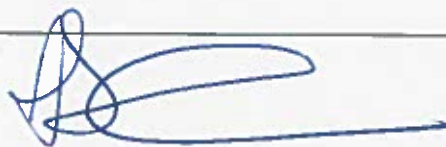




<b>DECISION : 2021/29</b>	<b>DATE: 7 FEBRUARY 2022</b>
<b>TITLE: OPCC – SAFEGUARDING POLICY</b>	
<b>REPORT BY: Steve Freeman, Chief Finance Officer</b> Appendix 'A' refers	
<b>Executive Summary</b> This report sets out a Safeguarding Policy for the Office of the Police and Crime Commissioner for Lancashire as required by Government	
<b>Recommendations</b> The Police and Crime Commissioner is asked to approve the OPCC Safeguarding Policy	
Signature	
Police and Crime Commissioner	
Date:	9 / 21 / 22

## PART I

### 1. Background

- 1.1 The Commissioner is required by Government to have a safeguarding policy in place for his office.
- 1.2 The attached policy meets that requirement and sets out the roles and responsibilities to ensure its delivery

### 2. Links to the Police and Crime Plan

Ensuring that the Office of the Police and Crime Commissioner has a formal Safeguarding Policy in place is essential to ensure the effective running of the OPCC in supporting the PCC in the delivery of the Police and Crime Plan.

### 3. Consultation

N/A

### 4. Implications

#### a. Legal

The legal implications are contained within the report.

#### b. Financial

There are no financial implications associated with this paper.

#### c. Equality considerations

There are no Equality comments associated with this paper.

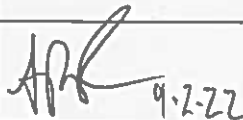
### 5. Background Papers

None

### 6. Public access to information

Information in this form is subject to the Freedom of Information Act 2000 and other legislation.

Part 1 of this form will be made available on the PCC website within 3 working days of approval. Any facts/advice/recommendations that should not be made available on request should not be included in Part 1 but instead on the separate Part 2 form.

Officer declaration	Date
LEGAL IMPLICATIONS – As above	
FINANCIAL IMPLICATIONS – As above	 9.2.22
EQUALITIES IMPLICATIONS – As above	

**CONSULTATION – As above**

**Director to the Office of the Police and Crime Commissioner (Monitoring Officer)**

I have been informed about the proposal and confirm that financial, legal and equalities advice has been taken into account in the preparation of this report. I am satisfied that this is an appropriate request to be submitted to the Police and Crime Commissioner for Lancashire.

Signature..........Date.....7/2/22.....



**POLICE AND CRIME COMMISSIONER FOR LANCASHIRE**

**Safeguarding Policy**

**Policy Owner:**

Angela Harrison

**Role Responsible:**

Chief Executive

**Protective Marking:**

**Date of next review:**

January 2023

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## **1. Introduction**

- 1.1 The purpose of the policy is to establish a process to ensure the OPCC do all that is possible to safeguard and promote the welfare of children and adults at risk
- 1.2 The OPCC is responsible for monitoring the effectiveness of the welfare of children and adults at risk in safeguarding them in the policing area.
- 1.3 Ensure that any services the PCC commission from third parties are compliant with a legal duty to safeguard and promote the welfare of children according to the Children's act 2004 and the Care Act 2014
- 1.4 Ensure that any safeguarding issues received by the OPCC are handled in accordance with this policy.
- 1.5 Ensure that PCC has oversight of the Police as part of the governance and scrutiny arrangements.
- 1.6 The PCC and his office work closely with partner organisations involved in the local Safeguarding Children's and Adults' Boards to oversee actions to improve the protection and wellbeing of children and adults at risk.
- 1.7 The OPCC will comply with all relevant safeguarding legislation including:
  - Childrens' Act 2004
  - Care Act 2014
  - Police Reform and Social Responsibility Act 2011, section 1(8)(H);
  - The Human Rights Act 1998;
  - Council of Europe Convention on Action against Trafficking in Human beings;
  - Safeguarding Vulnerable Groups Act 2006
  - The Mental Capacity Act 2005
  - The Equality Act 2010

## **2. The Scope**

- 2.1 The Policy covers all staff including temporary employees, agency staff, contracted staff and volunteers.
- 2.2 The aim of the policy is to raise staff awareness around the duties placed on them in relation to safeguarding, along with signposting information around processes which should be applied and best practice guidance.
- 2.3 OPCC staff have a clear responsibility to take action when they suspect or recognise that a child, young person or adults at risk may be a victim of harm or abuse.

- 2.4 The policy recognises the needs of children and adults at risk from minority ethnic groups, disabled children and adults at risk and the barriers they may face, especially around communication.
- 2.5 This policy allows OPCC staff to safely voice any concerns through established procedures.
- 2.6 All reports of abuse or potential abuse are dealt with in a serious and effective manner.
- 2.7 There is an efficient recording and monitoring system in place.
- 2.8 OPCC staff receive appropriate Safeguarding training.
- 2.9 Robust 'safer' recruitment procedures are in place.
- 2.10 While employees, volunteers and contract staff are, likely to have varied levels of contacts or exposure to potential safeguarding issues including contacts and correspondence with children, young people and adults at risk as part of their duties and responsibilities for the OPCC, everyone should be aware of the potential indicators of abuse and neglect and have a clear understanding about what to do if they have concerns. Responsibilities are limited and it is important to remember the following:

**It is not the responsibility of any OPCC member of staff to determine whether abuse is actually taking place.**

### **3. Safeguarding**

- 3.1 In this policy an adult means a person aged 18 years or over

In this policy a Child means a person under the age of 18 years

**A Child or an Adult ('At risk') if, because of their situation and/ or circumstances, they are unable to take care of or protect themselves or others from harm, abuse or exploitation.**

**Definitions of Abuse – Adults at risk:**

- Physical abuse – including assault, hitting, slapping, pushing, misuse of medication, restraint or inappropriate physical sanctions.
- Domestic violence – including psychological, physical, sexual, financial, emotional abuse; so called 'honour' based violence.
- Sexual abuse – including rape, indecent exposure, sexual harassment, inappropriate looking or touching, sexual teasing or innuendo, sexual photography, subjection to pornography or witnessing sexual acts, indecent exposure and sexual assault or sexual acts to which the adult has not consented or was pressured into consenting.
- Psychological abuse – including emotional abuse, threats of harm or abandonment, deprivation of contact, humiliation, blaming, controlling, intimidation, coercion, harassment, verbal abuse, cyber bullying,



isolation or unreasonable and unjustified withdrawal of services or supportive networks.

- Financial or material abuse – including theft, fraud, internet scamming, coercion in relation to an adult's financial affairs or arrangements, including in connection with wills, property, inheritance or financial transactions, or the misuse or misappropriation of property, possessions or benefits.
- Modern slavery – encompasses slavery, human trafficking, forced labour and domestic servitude. Traffickers and slave masters use whatever means they have at their disposal to coerce, deceive and force individuals into a life of abuse, servitude and inhumane treatment.
- Discriminatory abuse – including forms of harassment, slurs or similar treatment; because of race, gender and gender identity, age, disability, sexual orientation or religion.
- Organisational abuse – including neglect and poor care practice within an institution or specific care setting such as a hospital or care home, for example, or in relation to care provided in one's own home. This may range from one off incidents to on-going ill-treatment. It can be through neglect or poor professional practice as a result of the structure, policies, processes and practices within an organisation.
- Neglect and acts of omission – including ignoring medical, emotional or physical care needs, failure to provide access to appropriate health, care and support or educational services, the withholding of the necessities of life, such as medication, adequate nutrition and heating.
- Self-neglect – this covers a wide range of behaviour neglecting to care for one's personal hygiene, health or surroundings and includes behaviour such as hoarding.

### **Definitions of Abuse - Children**

The following definitions of abuse and the guidance on recognition are given to assist staff and those providing services to children in assessing whether abuse may have occurred. These definitions of categories of abuse in which a child is suffering or is likely to suffer significant harm apply throughout these Procedures. They will be used when considering whether a child is in need of a child protection plan.

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

It may also include neglect of, or unresponsiveness to, a child's basic emotional needs.

Deprivational abuse is the deliberate and malicious withholding of a child's needs and is a form of neglect.

- **Physical Abuse** - Physical abuse may involve hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating, or otherwise causing physical harm to a child. Physical harm may also be caused when a parent or carer fabricates the symptoms of, or deliberately induces illness in a child.
- **Sexual Abuse** - Sexual abuse involves forcing or enticing a child or young person to take part in sexual activities, not necessarily involving a high level of violence, whether or not the child is aware of what is happening. The activities may involve physical contact, including assault by penetration (for example, rape or oral sex) or non-penetrative acts such as masturbation, kissing, rubbing and touching outside of clothing. They may also include non-contact activities, such as involving children in looking at, or in the production of, sexual images, watching sexual activities, encouraging children to behave in sexually inappropriate ways, or grooming a child in preparation for abuse (including via the internet). Sexual abuse is not solely perpetrated by adult males. Women can also commit acts of sexual abuse, as can other children.
- **Emotional abuse** is the persistent emotional maltreatment of a child such as to cause severe and persistent adverse effects on the child's emotional development. It may involve conveying to children that they are worthless or unloved, inadequate, or valued only insofar as they meet the needs of another person. It may include not giving the child opportunities to express their views, deliberately silencing them or 'making fun' of what they say or how they communicate. It may feature age or developmentally inappropriate expectations being imposed on children. These may include interactions that are beyond a child's developmental capability, as well as overprotection and limitation of exploration and learning, or preventing the child participating in normal social interaction. It may involve seeing or hearing the ill treatment of another. It may involve serious bullying (including cyber bullying), causing children to frequently feel frightened or in danger, or the exploitation or corruption of children. Some level of emotional abuse is involved in all types of maltreatment of a child, though it may occur alone.

3.2 The action we take to promote the welfare of children and adults at risk and protect them from harm - is everyone's responsibility. Everyone who comes into contact with children, Adults at Risks and families has a role to play."

#### **4. Situations where concerns may be raised**

- 4.1 A child or adult at risk may tell you about something or someone that has upset or harmed them
- 4.2 Someone else might report that a child or adults at risk has told them, or that they believe that a child or adults at risk has been or is being harmed
- 4.3 A child or adult at risk might show signs of physical injury for which there appears to be no explanation

- 4.4 A child or adult at risk's behaviour may suggest he or she is being abused
- 4.5 The behaviour or attitude of one of the workers towards a child or Adults at Risk worries you
- 4.6 You witness worrying behaviour from one child or Adults at Risk to another.
- 4.7 A child or adult at risk demonstrates worrying behaviour towards other children or adults at risks.
- 4.8 The situations where staff have contact with the public but not direct work with children or adults at risks could include PCC events, meetings, "What Matters to you Events", contact correspondence, telephone calls etc.
- 4.9 The following could be signs of abuse:
  - Unusual bruising;
  - Injuries that are unexplained;
  - Deterioration of health for an in appropriate reason;
  - Withdrawal or a change in usual behaviour;
  - Uncomfortable walking;
  - Fear of any physical contact;
  - Somebody who appears poorly cared for;

## **5. Responsibilities**

Everyone has a responsibility:

- 5.1 For safeguarding children, young people and adults at risk;
- 5.2 To recognise the welfare of the children and adults at risk as our primary consideration in everything we do;
- 5.3 To ensure everyone understands their roles and responsibilities in respect of safeguarding and is provided with appropriate training to recognise, identify and respond to signs of abuse, neglect and other safeguarding concerns relating to children, young people and adults at risk;
- 5.4 To ensure appropriate action is taken in the event of incidents/concerns of abuse and that support is provided to the individual(s) who raise or disclose the concern;
- 5.5 To ensure that confidential, detailed and accurate records of all safeguarding concerns are maintained and securely stored;
- 5.6 To prevent the employment/deployment of unsuitable individuals;
- 5.7 To ensure robust safeguarding arrangements and procedures are in place.

## **6. Safeguarding Roles**

- 6.1 The Chief Executive (CE) and the Senior Management Team (SMT) are responsible for ensuring that this policy and related procedures are implemented, monitored and consistently reviewed;
- 6.2 The Chief Executive is responsible for ensuring the implementation, consistent monitoring and improvements of the Safeguarding Policy and related procedures;
- 6.3 The Chief Finance Officer is the Designated Safeguarding Officer and responsible for dealing with reports or concerns about the protection of children, young people and adults at risk appropriately and in accordance with the procedures that underpin this policy;
- 6.4 Staff must bring safeguarding concerns to the attention of the Designated Safeguarding Officer.

## **7. OPCC Processes & Signposting Information**

**When a child, young person or adults at risk makes an allegation of abuse or bullying, you should:**

- 7.1 Stay calm and try to get another witness, if it does not compromise the situation
- 7.2 If you believe the person is 'at risk' of immediate significant harm, which includes situations which any employee would reasonably believe requires the emergency services, then you must contact the relevant emergency service and notify the Designated Safeguarding Officer.
- 7.3 Listen carefully to what is said and allow the person to talk at their own pace, being careful not to compromise potential evidence.
- 7.4 Find an appropriate opportunity to explain it is likely that information will need to be shared with other responsible people, do not promise to keep secrets
- 7.5 Only ask questions for clarification, the use of open questions e.g. what, where, when, who? is advisable, do not ask leading questions (that suggest certain answers as this could compromise evidence).
- 7.6 Reassure the child, young person or adults at risk that they have done the right thing in telling you.
- 7.7 Tell them what you will do next and who you will inform.
- 7.8 Immediately report to and inform the Designated Safeguarding Officer. Designated Safeguarding Officer will also notify CE and SMT of the incident.
- 7.9 Record all details you are aware of on the Safeguarding Reporting Form (SRF) as soon as possible.
- 7.10 Referral process – see below
- 7.11 Outcome of the referral to be recorded on the SRF

## **8. Referral Process:**

- 8.1 **If you are concerned for the safety of a child or adult at risk, or there is an immediate risk to a child or adult at risk ring 999**
- 8.2 **To report a crime or raise a concern about abuse with the Police, phone the non-emergency number 101. But if it is an emergency always dial 999.**
- 8.3 **Area Safeguarding Contacts:**

### **Child Safeguarding Contacts:**

Concerned about a Child? If, you are worried about a child at risk, please contact the relevant authority using the details below:

Lancashire County Council area:

Call 0300 123 6720 or out of hours 0300 123 6722

Blackpool Council area:

Call 01253 477299

Blackburn with Darwen area:

Call 01254 666400 or out of hours 01254 587547

**When allegations or concerns are expressed about any other person (e.g. parent, carer, other service user), you should:**

- Take the allegation or concern seriously
- If you believe the child, young person or adult is 'at risk' of immediate significant harm, which includes situations which you would reasonably believe requires the emergency services, then you should contact the relevant emergency service and then notify the Designated Safeguarding Officer immediately
- If there are immediate concerns in relation to the welfare and safety of a child use the contact numbers above.
- If there are no immediate safeguarding concerns to the child inform senior management at the organisation where this person works.

**Any allegation against staff that indicate that they may have:**

- Behaved in a way that has harmed a child or adults at risk, or may have harmed a child or adult at risk;
- Possibly committed a criminal offence against or related to a child or adult at risk; or
- Behaved towards a child, children or adults at risk in a way that indicates s/he is unsuitable to work with children and adults at risks.
- Will be reported immediately to the Designated Safeguarding Officer
- If the allegation made to a member of staff concerns the Designated Safeguarding Officer, the person receiving the allegation will immediately inform the Chief Executive.

- The name of any member of staff considered not suitable to work with children and adults at risks will be referred to the Disclosure and Barring Service (DBS) with the advice and support of the Office & HR Manager.

## **9. Recruitment**

- 9.1 The PCC is committed to safer recruitment procedures. Where it is identified that staff have regular or frequent contact with children, young people and adults at risks then appropriate procedures will be initiated
- 9.2 It is the responsibility of the line managers to undertake a risk assessment for the job description and person specification for those roles likely to involve regular and/or substantial unsupervised contact with children, young people or adults at risks before recruitment takes place. This will ensure that only appropriate individuals are selected to undertake vetting procedures.
- 9.3 For roles involving Safeguarding, full employment references and information about employment gaps will be sought. For all other roles;
- 9.4 employment references and information about employment gaps covering a period of 3 years will be sought;
- 9.5 Should the OPCC recruit volunteers, recruitment will be rigorous and take into account regulated and supervised activity.

## **10. Commissioning**

- 10.1 As a commissioner of services, the OPCC has a responsibility to ensure safeguarding responsibilities are detailed in all contracts. The OPCC will work with providers to ensure that responsibilities are understood and adhered to in line with best practice arrangements and ensure this is monitored as part of the contract management process.
- 10.2 Where the OPCC is commissioning or releasing grant funding to external agencies they will be expected to submit copies of their Safeguarding Policies to the OPCC as part of the funding application process. Failure to do so may result in funding being withheld.

## **11. Training**

- 11.1 All OPCC staff will receive training in relation to safeguarding and their responsibilities in upholding this policy as part of their induction programme. Refresher training will be provided to all staff on a three-yearly basis.

## **12. Confidentiality**

- 12.1 Information will be gathered, recorded and stored in accordance with Data Protection Legislation and the Information Management Policy
- 12.2 All OPCC staff have a professional duty to share information with other agencies in order to safeguard children and adults at risks. The public interest in safeguarding children and adults at risks may override confidentiality interests. The GDPR and Data Protection Act 2018 do not prevent, or limit,

the sharing of information for the purposes of keeping children and adults at risks safe.

- 12.3 All OPCC staff cannot promise service users or their families/carers that they will keep secrets
- 12.4 Sharing of Information with other agencies, staff will have regard to the Information Commissioner's Office Sharing Code of Practice and any relevant non –statutory guidance including:
  - Caldicott principles derived from the 1997 Caldicott Report and subsequent 2013 Caldicott Review
  - Seven 'golden' rules of information sharing set out in HM Government's Information Sharing 2015 (Advice for practitioners providing safeguarding services to children, young people, parents and carers) as per Appendix 1.

### **13. Equality and Diversity**

- 13.1 The PCC is firmly committed to promoting equality of opportunity for all local people and communities. It aims to ensure that in its organisational structures, decision-making processes, ways of working, communicating and managing, diversity is welcomed and embraced.
- 13.2 The OPCC shall treat all individuals, regardless of age, colour, disability, ethnic or national origin, gender, gender reassignment, marital status, nationality, race, religion and belief and sexual orientation with dignity and respect. It shall provide a working environment which is free from harassment, bullying, victimisation or discrimination and in all our contacts with members of the community the principles of respect, dignity and fairness will be upheld.
- 13.3 Staff and volunteers of the OPCC will demonstrate their commitment to this statement by ensuring that all policies and procedures reflect these aims and by challenging any behaviour which fails to uphold these principles.
- 13.4 The OPCC extends this commitment to cover all aspects of diversity.

### **14. Data Protection Act 2018, General Data Protection Regulations (GDPR)**

- 14.1 The Data Protection Act 2018 – General Data Protection Regulations (GDPR), replaces current data privacy legislation. This law gives more rights to you as an individual and more obligations to organisations holding your personal data.
- 14.2 One of the key rights enshrined in the new legislation is a right to be informed, which means that the Office of the Police and Crime Commissioner (OPCC) must give you detailed information about the ways in which we use, share and store your personal information.
- 14.3 The OPCC has published a Privacy Notice which is documented on the PCC's website. The PCC may need to make changes to the Privacy Notice from time to time, so please continue to check our websites for updates. If

there are important changes that affect the way we handle your personal data we will contact you directly where instructed to do so by the new legislation.

## 15. **Monitoring**

15.1 Compliance with, and effectiveness of, this policy will be reviewed a year after implementation and then every three years, or in the event of;

- Changes in legislation and/or government guidance;
- As a result of any other significant change or incident

This policy will be reviewed by or on behalf of the PCC or CEO to ensure that it remains accurate and fit for the purpose.

This is the Safeguarding Policy of The Police and Crime Commissioner for Lancashire

It will be reviewed every 12 months

Date of next review: January 2023

Signed:

Position: Chief Executive



## **The Seven Golden Rules to Sharing information**

1. Remember that the General Data Protection Regulation(GDPR), Data Protection Act 2018 and human rights law are not barriers to justified information sharing, but provide a framework to ensure that personal information about living individuals is shared appropriately,
2. Be open and honest with individual (and/or their family where appropriate) from the outset about why, what, how and with whom information will, or could be shared, and seek their agreement, unless it is unsafe or inappropriate to do so.
3. Seek advice from other practitioners, or you're your information governance lead, if you are in any doubt about sharing the information concerned, without disclosing the identity of the individual where possible.
4. Where possible, share information with consent, and where possible, respect the wishes of those who do not consent to having their information shared. Under the GDPR and Data Protection Act 2018 you may share information without consent if, in your judgement, there is a lawful basis to do so, such as where safety may be at risk. You will need to base your judgement on the facts of the case. When you are sharing or requesting personal information from someone, be clear of the basis upon which you are doing so. Where you do not have consent, be mindful that an individual might not expect information to be shared.
5. Consider safety and well-being: base your information sharing decisions on considerations of the safety and well-being of the individual and others who may be affected by their actions.
6. Necessary, proportionate, relevant, adequate, accurate, timely and secure: ensure that the information you share is necessary for the purpose for which you are sharing it, is shared only with those individuals who need to have it, is accurate and up-to-date, is shared in a timely fashion, and is shared securely (see principles).
7. Keep a record of your decision and the reasons for it- whether it is share information or not. If you decide to share, then record what you have shared, with whom and for what purpose.