

West Devon Overview and Scrutiny Committee



West Devon
Borough
Council

Title:	Agenda														
Date:	Tuesday, 10th November, 2020														
Time:	2.00 pm														
Venue:	Via Skype														
Full Members:	<p style="text-align: center;">Chairman Cllr Ewings Vice Chairman Cllr Kimber</p> <p><i>Members:</i></p> <table style="width: 100%; border: none;"> <tr> <td style="width: 33%;">Cllr Bolton</td> <td style="width: 33%;">Cllr Moyse</td> </tr> <tr> <td>Cllr Coulson</td> <td>Cllr Musgrave</td> </tr> <tr> <td>Cllr Crozier</td> <td>Cllr Ratcliffe</td> </tr> <tr> <td>Cllr Daniel</td> <td>Cllr Southcott</td> </tr> <tr> <td>Cllr Heyworth</td> <td>Cllr Spettigue</td> </tr> <tr> <td>Cllr Hipsey</td> <td>Cllr Wood</td> </tr> <tr> <td>Cllr Kemp</td> <td></td> </tr> </table>	Cllr Bolton	Cllr Moyse	Cllr Coulson	Cllr Musgrave	Cllr Crozier	Cllr Ratcliffe	Cllr Daniel	Cllr Southcott	Cllr Heyworth	Cllr Spettigue	Cllr Hipsey	Cllr Wood	Cllr Kemp	
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Cllr Heyworth	Cllr Spettigue														
Cllr Hipsey	Cllr Wood														
Cllr Kemp															
Interests – Declaration and Restriction on Participation:	Members are reminded of their responsibility to declare any disclosable pecuniary interest not entered in the Authority's register or local non pecuniary interest which they have in any item of business on the agenda (subject to the exception for sensitive information) and to leave the meeting prior to discussion and voting on an item in which they have a disclosable pecuniary interest.														
Committee administrator:	Democratic.Services@swdevon.gov.uk														

- 1. Apologies for Absence**
- 2. Confirmation of Minutes** **1 - 6**
- 3. Declarations of Interest**

Members are invited to declare any personal or disclosable pecuniary interests, including the nature and extent of such interests they may have in any items to be considered at this meeting.

If Councillors have any questions relating to predetermination, bias or interests in items on this Agenda, then please contact the Monitoring Officer in advance of the meeting.
- 4. Items Requiring Urgent Attention**

To consider those items which, in the opinion of the Chairman, should be considered by the Meeting as matters of urgency
- 5. Public Forum** **7 - 8**

A period of up to 15 minutes is available to deal with issues raised by the public.
- 6. Hub Committee Forward Plan - To follow**

If any Member seeks further clarity, or wishes to raise issues regarding any future Hub Committee agenda item, please contact Democratic Services before **5.00pm on Thursday, 5 November** to ensure that the lead officer(s) are aware of this request in advance of the meeting.
- 7. Community Safety Partnership -Annual Report** **9 - 16**
- 8. Safeguarding -Annual Update** **17 - 30**
- 9. Locality Service -Annual Report - To follow**
- 10. Verbal Update from the Rural Broadband Working Group - standing agenda item**
- 11. Verbal Updates from the Chairmen of the Recovery Plan Task & Finish Groups**
- 12. Draft Annual Work Programme 2020/21** **31 - 32**

13. Member Learning and Development Opportunities Arising from this Meeting

This document can be made available in large print, Braille, tape format, other languages or alternative format upon request. Please contact the Committee section on 01822 813662 or email darryl.white@swdevon.gov.uk

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Agenda Item 2

At a Meeting of the **OVERVIEW & SCRUTINY COMMITTEE** held **REMOTELY via SKYPE** on **TUESDAY** the **6th** day of **OCTOBER 2020** at **2.00pm**.

Present: Cllr M Ewings – Chairman
Cllr P Kimber – Vice-Chairman

Cllr T Bolton	Cllr P Crozier
Cllr L Daniel	Cllr N Heyworth
Cllr S Hipsey	Cllr C Kemp
Cllr D Moyse	Cllr R Musgrave
Cllr B Ratcliffe	Cllr T Southcott
Cllr J Spettigue	Cllr L Wood

Chief Executive
Section 151 Officer
Director of Governance and Assurance
Director of Place and Enterprise
Head of Strategy and Projects
Head of ICT
Democratic Services Manager
Senior Specialist - Projects

Also in Attendance: Cllrs Cheadle, Edmonds, Jory, Leech, Moody, Mott, Pearce, Renders, Samuel, Sellis and Yelland

***O&S 23 APOLOGIES FOR ABSENCE**
Apologies for absence for this meeting were received from Cllr A Coulson

***O&S 24 CONFIRMATION OF MINUTES**
The minutes of the Meeting of the Overview and Scrutiny Committee held on 1 September 2020 were confirmed by the Meeting as a true and correct record.

***O&S 25 DECLARATIONS OF INTEREST**
Members and officers were invited to declare any interests in the items of business to be considered during the course of this meeting but there were none made.

***O&S 26 PUBLIC FORUM**
The Chairman informed that no formal requests had been received in accordance with the Overview and Scrutiny Procedure Rules.

***O&S 27 HUB COMMITTEE FORWARD PLAN**

Whilst no prior requests had been received for updates on any future Hub Committee agenda items at this meeting, it was confirmed that each of the Task and Finish and Working Groups would be commencing with their work on the Council's draft Recovery Plan in the next few weeks.

***O&S 28 A386 TRANSPORT INFRASTRUCTURE – VERBAL UPDATE**

In his update, the Director of Place and Enterprise made particular reference to a constructive recent conversation that he had held with the Regional Director for Sustrans. The Committee noted that a feasibility report had been commissioned and would be available by the end of October 2020. Upon receipt of this report, it was intended that all partner agencies would look to establish a way forward with regard to improving cycling infrastructure.

In the ensuing debate, the following points were raised:

- (a) The Committee Chairman confirmed that she was in regular dialogue with the Devon County Council lead Cabinet Member. Whilst not the lead authority for the cycle project, officers confirmed that Devon County Council was committed to providing whatever support it could;
- (b) It was acknowledged that there were Section 106 monies available that could be used to support the cycle project;
- (c) The lead officer recognised that there was a need to improve the dialogue between the Borough Council and the Dartmoor National Park Authority on the cycle proposals and a meeting was to be set up in the upcoming weeks;
- (d) With regard to the Beeching Reversal Fund application that had been submitted by Devon County Council, there were no further updates at this current time.

***O&S 29 FUTURE IT PROJECT UPDATE**

The Committee considered a report that presented a progress update on the Council's Future IT Project.

In discussion, the following points were raised:-

- (a) The Committee felt that the manner in which the Council had been able to successfully adjust its working practices in light of the ongoing COVID-19 Pandemic was to the great credit of its ICT service;

- (b) Members were informed that, in response to Skype for Business being decommissioned, the Council was in the process of piloting the Microsoft Teams platform as an alternative. Once officers were ready to formally launch the Teams platform, it was confirmed that a variety of training opportunities would be made available for Members;
- (c) As part of the IT Project, it was noted that one of the main objectives was to improve the customer experience (and functionality) of the Council website;
- (d) The Committee recognised that there would be some inevitable system downtime as the Council transitioned across to a new website but that every step was being taken to ensure that this was kept to an absolute minimum. As a result of the impact, the lead Hub Committee Member emphasised the importance of all Members sharing on their own social media platforms any related communication messages that were released by the Council.

It was then:

RESOLVED

That the progress of both the Future IT Project and the evaluation of risks be noted.

***O&S 30 OMBUDSMAN ANNUAL REVIEW LETTER 2020**

Consideration was given to a report that presented the Ombudsman's Annual Review Letter 2020.

In discussion, reference was made to:-

- (a) the role of local Ward Member(s). When questioned, officers advised that Ward Member(s) were currently not made aware of complaints to the Ombudsman that were related to their local areas. In response to a request, the lead officer confirmed that he would give this point further consideration outside of this meeting;
- (b) the conclusions contained within the Review Letter. Members welcomed the positive tone of the Letter and felt that this was justification for the recent effort that had been put in by the Council to improving its internal complaints processes.

It was then:

RESOLVED

1. That the Ombudsman's Annual Letter for 2020 (as attached at Appendices A and B of the presented agenda report) has been reviewed; and

2. That the steps set out to ensure that the Council continues to address complaints fairly (and in line with best practice) be noted.

***O&S 31 VERBAL UPDATE FROM THE RURAL BROADBAND WORKING GROUP**

The lead Hub Committee Member for Economy informed that the Council had now received a response from the Department of Culture, Media and Sport in reply to concerns over Superfast Broadband provision in the West Devon Borough area. According to the letter, the Member advised that 88% of households in West Devon were capable of receiving Superfast Broadband and it was now the intention of the Working Group to lobby for this percentage to be increased.

With regard to a recent meeting between representatives of Connecting Devon and Somerset, it was agreed that a more detailed update would be provided to the next Committee meeting to be held on 10 November 2020.

***O&S 32 VERBAL UPDATE FROM THE FINANCIAL STABILITY REVIEW GROUP**

It was noted that the next meeting of the Review Group would be focusing on the draft budget setting proposals for 2021/22. In the event of any Members having both income generation or savings ideas, then they were encouraged to provide their thoughts to either the Section 151 Officer or the Review Group.

***O&S 33 JOINT LOCAL PLAN – VERBAL UPDATE**

Members of the Joint Local Plan Partnership Board advised that, at the most recent Board meeting held on 21 September 2020, all Members had expressed their concerns over the contents of the draft Planning White Paper. Whilst the Board had supported the concept of a collective response being sent on behalf of all 3 partner authorities to the consultation exercise, it was also acknowledged that this did not preclude any Member from making representations in their own right.

The Members also advised that the Strategic Planning Manager had recently left the employ of the three Councils and they proceeded to pay tribute to the role that he had played in the adoption of the Joint Local Plan.

***O&S 34 TASK AND FINISH GROUP UPDATES**

(i) Engagement and Consultation

It was noted that the membership of the Group had now been confirmed (Cllrs Cheadle, Daniel, Kemp, Kimber, Leech and Samuel) and a draft set of Terms of Reference had been prepared in anticipation of the first Group meeting.

(ii) Localities and Clusters

Similarly to the Engagement and Consultation Review, the Group composition had now been approved (Cllrs Heyworth, Hipsey, Moody, Moyse, Ratcliffe and Wood) and officers informed that the first meeting of the Group had been arranged to be held on Tuesday, 20 October 2020.

***O&S 35 DRAFT ANNUAL WORK PROGRAMME 2020/21**

The Committee considered the latest version of its draft Annual Work Programme for 2020/21 and, in discussion, the following updates were made:

- Members agreed a recommendation whereby it would now be more appropriate to receive quarterly updates from the Financial Stability Review Group; and
- The Committee supported the proposal whereby the 'Regulation of Investigatory Powers Act (RIPA) 2000 Report' should be presented to the Audit Committee and therefore removed from the Work Programme.

***O&S 36 MEMBER LEARNING AND DEVELOPMENT OPPORTUNITIES ARISING FROM THIS MEETING**

The Committee was reminded of the earlier assurances (Minute O&S 29 above refers) that had been given whereby there would be a number of opportunities for Members to receive training on Microsoft Teams before the Council held its remote meetings over this platform.

(The meeting terminated at 3.20 pm)

Chairman

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PUBLIC FORUM PROCEDURES

(a) General

Members of the public may raise issues and ask questions at meetings of the Overview and Scrutiny Committee. This session will last for up to fifteen minutes at the beginning of each meeting, with any individual speaker having a maximum of three minutes to address the Committee.

(b) Notice of Questions

An issue or question may only be raised by a member of the public provided that they have given written notice (which may be by electronic mail) to Darryl White (darryl.white@swdevon.gov.uk) by 5.00pm on the Thursday, prior to the relevant meeting.

(c) Scope of Questions

An issue may be rejected by the Monitoring Officer if:

- it relates to a matter within the functions of the Planning and Licensing Committee;
- it is not about a matter for which the local authority has a responsibility or which affects the district;
- it is offensive, frivolous or defamatory;
- it is substantially the same as a question which has previously been put in the past six months; or
- it requires the disclosure of confidential or exempt information.

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Report to: **West Devon Borough Council Overview and Scrutiny Committee**

Date: **10th November 2020**

Title: **Community Safety Partnership**

Portfolio Area: **Customer First**

Wards Affected: **All**

Relevant Scrutiny Committee: N/A

Urgent Decision: **N** Approval and clearance obtained: **Y / N**

Date next steps can be taken:
(e.g. referral on of recommendation or implementation of substantive decision)

Author: **Rebecca Hewitt/Louisa Daley** Role: **Chair, Community Safety Partnership/Community Safety Specialist South Devon and Dartmoor Community Safety Partnership**

Contact: Rebecca.hewitt@teignbridge.gov.uk
Louisa.daley@swdevon.gov.uk

Recommendations:

- 1. That Members identify any issues to be raised at the next Community Safety Partnership meeting**

1. Executive summary

The purpose of this report is to provide Members with the opportunity to scrutinise the work of the Community Safety Partnership (CSP) as defined by Sections 19 and 20 of the Police and Justice Act 2006 and the Crime and Disorder (Overview & Scrutiny) Regulations 2009.

2. Background

South Devon and Dartmoor CSP operates across Teignbridge, South Hams and West Devon and is a statutory partnership.

The CSP works collaboratively across Devon and the Peninsula to tackle issues such as child sexual exploitation, modern slavery, drug misuse, prejudice related crime, preventing violent extremism and domestic violence and abuse.

3. Outcomes/outputs

The CSP sets its priorities each March with information from the Devon Strategic Assessment and also the Police and Crime Plan. The CSP also responds to emerging risks.

There is a significant focus on vulnerability and the impact on different types of crime on the victim. The CSP has focused on vulnerability as a key area of work for the last few years.

The outcomes of the CSP are monitored at each meeting through the Local Delivery Plan (LDP) and annually through a performance review with the Office of the Police Crime Commissioner (OPCC).

In 20/21 the CSP received a £25,000 grant of Safer Communities funding from the OPCC via the Safer Devon Partnership. This funding plan is developed alongside the Local Delivery Plan, some of which are listed below.

KEY ACHIEVEMENTS

Achievements across the whole of South Devon and Dartmoor CSP area

Priority	Activity
Sexual Violence, Domestic Violence and Abuse (SVDVA)	<ul style="list-style-type: none">• Quarterly SVDVA forums are convened with a range of partners• Later in life toolkit was created and launched to partner agencies to address SVDVA in the older population• Campaign during COVID to encourage reporting• Engagement in Domestic Homicide Reviews• Toolkit for parents to support vulnerable

	<p>young people in relation to behaviours and gender</p> <ul style="list-style-type: none"> • Regular engagement with South Devon MARAC (Multi Agency Risk Abuse Conference) to create safety planning for those experiencing domestic abuse in South Devon
Exploitation	<ul style="list-style-type: none"> • South Devon Exploitation Network – 2 monthly meetings of the network are held to raise awareness of current risks. The meetings were increased to monthly meetings during the COVID pandemic • Attendance at the Devon Anti-Slavery Partnership • Attendance at the Devon and Torbay Prevent Partnership • Awareness raising through the Exploitation Prevention Toolkit – delivered training session to 209 attendees from 58 organisations and received extremely positive feedback • Promotion of the Partnership Information Sharing Form • Prevent Training – to 105 front line staff from a wide range of agencies • Into the Counties – approximately 2800 young people saw a theatre performance on county lines and exploitation within our partner secondary schools
Drug and Alcohol Misuse	<ul style="list-style-type: none"> • CSP involvement in Operation Moorland to address blue, fake Valium tablets which can cause significant harm • Increased awareness of drugs and alcohol issues within a wide range of organisations through county lines presentations • Strongly linked to work around exploitation
Changes in Youth Culture / Youth Gang Activity	<ul style="list-style-type: none"> • CSP working with WAVE Academy to deliver the Motiv8 programme • Engagement with the Adolescent Safety Framework which reviews contextual safeguarding risks in the individual, peer and school context • Members of Devon Youth Crime Prevention Partnership • Key partner in the Turning Corners project (South Hams and Teignbridge)

Emerging issues	<ul style="list-style-type: none"> • Engagement with agencies to respond to the COVID crisis • Delivery of training to raise awareness of the impact of trauma • Provision of 100 hand held domestic abuse alarms • Supported Suicide Prevention Sessions to Early Years providers across the CSP area • CSP Member briefings as requested at the previous Overview and Scrutiny
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Additional achievements specific to West Devon

- The CSP worked with Tavistock Youth Café and provided financial support for them to work in a counselling and mentoring capacity with three young people in Tavistock who were involved in county lines and exploitation. Since this time, the young people continue to engage with the Youth Café in a group setting and have disengaged with concerning activities previously seen.
- The CSP continues to facilitate and chair local meetings in Tavistock and Okehampton and works with county, borough and town councillors in addition to Street Pastors, the West Devon Borough Council Anti-Social Behaviour officer and Police to raise and problem solve community safety concerns. Issues such as graffiti and drug litter have been addressed in addition to wider concerns such as modern slavery and county lines which have been brought to the group and escalated through the CSP to the correct partner agencies.
- Tavistock College, Okehampton College and Mount Kelly College all work closely with the CSP in West Devon. The CSP facilitates and chairs quarterly schools meetings, where safeguarding leads and deputy heads attend in addition to Youth Intervention Officers from the Police, Community Safety office, Police Problem Solver, Youth Services and School Pastors. Local trends and concerns are brought for discussion at the meeting, which now includes Launceston College and Callington College as many students who live in West Devon attend these Cornish schools.
- Strengthening our links to the schools in West Devon as highlighted above included one of the projects that the CSP has been involved in this year. "Into the Counties" is a presentation, acted by a theatre company which was commissioned by the CSP. The theatre company presented a production on county lines, exploitation and drugs. The session was followed up with a one hour question and answer session where the actors stayed "in role" and students were

able to ask questions. Feedback from these sessions were extremely positive from the colleges.

- The CSP works closely with Devon County Council REACH (Reducing Exploitation and Absence from Care of Home) team, part of the Childrens Social Care. The CSP has chaired community meetings as part of the new Adolescent Safety Framework (ASF) where an issue in the community has been flagged by Devon County Council. The meeting is held with strategic local partners and reported back into the new framework. Further meetings were held and wider partners from another county were involved to assist in the issues that were raised and explored by the community meeting. The framework has now stepped down in this area and community issues have been addressed and mostly resolved or are underway now as part of a wider problem solving plan.
- The CSP has facilitated and chaired meeting in West Devon concerning reports of exploitation in the Learning Disability Community. Multi-agency meetings have included the LD Social Care team, Independent Living Team, Police and the landlord of the premises. Appropriate training and resources have been made available to residents, security concerns have been highlighted and addressed and potential perpetrators have been dealt with accordingly. The situation is receiving ongoing monitoring with partner agencies.
- The CSP attends multi-agency meetings for community members held at Tavistock College with specific themes of the meeting around safeguarding, mental health and community youth engagement. The CSP has funded resource materials including Run, Hide, Tell – a campaign raising awareness of what to do in an extremist attack.
- The CSP continues to attend North and West Devon Missing and Child Exploitation (MACE) meetings facilitated by Devon Children and Young People’s Service, also North and West Devon Tactical Tasking meetings and Tactical Incident Management meetings chaired by Devon and Cornwall Police.

Achievements in Anti-Social Behaviour – West Devon

- Over the last year there have been 21 referrals into the Anti-Social Behaviour (ASB) escalation process. Of these, 2 have been escalated to the second stage letter. They both refer to young people causing issues within Okehampton. The ASB officer and the Police Youth Intervention Officer are working with the Youth Offending Team to address this behaviour.
- There have been 2 Community Trigger activations within West Devon. Both relate to long running neighbour disputes.

Activation A concerned how the Police had responded to a number of calls. A review meeting to discuss the Police response was convened. The result of the review meeting was that the Police had taken all possible action to resolve the issue. This information was relayed back to the party activating the Trigger. The decision was later appealed and presented to the Office of the Police & Crime Commissioner (OPCC). The OPCC are currently conducting that review.

Activation B again related to how the Police had responded to a number of calls and a crime. The two parties involved are tenants of the same landlord. The findings of the review meeting was that the Police had taken all appropriate action. The person who raised the Community Trigger has been made aware of this decision.

- A Criminal Behaviour Order (CBO) was issued to a male who was sleeping in a toilet. This order was later varied to include toilets in another location. Despite extensive multi-agency working with the Police and WDBC Housing Department, the male was arrested for breaching the order and has subsequently served a custodial sentence. WDBC Housing team continue to try to engage with him to find him suitable housing.
- Following extensive multi-agency working between the Police, the ASB Officer and LiveWest, LiveWest obtained an ASB Injunction in relation to a West Devon resident. The Injunction related to playing extremely loud music and visitors to the address causing anti-social behaviour and negative impact on the local community.
- A further Civil Injunction was obtained against another male in West Devon. This male had previously been served a Community Protection Notice in relation to harassment and ASB which was breached and a Fixed Penalty was subsequently issued. The Injunction reflects the conditions on the CPN and is the result of extensive working between WDBC and West Devon Neighbourhood Policing Team.
- There is continued, positive engagement with partner agencies at the monthly ASB meetings where individuals causing ASB are discussed with regular attendance by Police, Registered Social Landlords & West Devon Borough Council and Community Mental Health Team. At this meeting vulnerable adults are also discussed to ensure that all agencies are aware and that appropriate support is being offered.

4. Options available and consideration of risk

The CSP continues to be intelligence led and directed by the findings of the Devon Strategic Assessment. This document guides the CSP to understand the threat, risk and harm that our communities face.

The CSP produces a local delivery plan in March of each year which also sets the context of the CSP spending plan. However, due to the nature of Community Safety work, the CSP retains flexibility in delivery and strategic priorities in response to emerging issues.

5. Proposed Way Forward

The main considerations for members include –

- The CSP will continue to engage all statutory partners in the development of the Local Delivery Plan which sets out the work of the CSP directed by the Devon and Peninsula Strategic Assessments.

6. Implications

Implications	Relevant to proposals Y/N	Details and proposed measures to address
Legal/Governance		<p>The CSP works under several sections of legislation including –</p> <p>Crime and Disorder Act 1998 Police Reform Act 2002 Anti-Social Behaviour Act 2003 Police and Justice Act 2006 Policing and Crime Act 2009 Section 9 of the Domestic Violence, Crime and Victims Act (2004). Anti-Social Behaviour , Crime & Policing Act 2014</p> <p>New legislation expected: <i>Domestic Abuse Bill</i> <i>Serious Violence Bill</i></p>
Financial		<p>2020/21 income to the CSP included a £25,000 grant of Safer Communities funding from the Police Crime Commissioner via the Safer Devon Partnership and contributions from agencies and income to support specific projects.</p> <p>West Devon Borough Council costs for 2020/21:</p> <p>Total contribution £16679</p>
Risk		The report is for information and as such there is no risk associated with decisions to set out.

Supporting Corporate Strategy		Communities, Wellbeing and Homes
Climate Change – Carbon / Biodiversity Impact		No direct carbon/biodiversity impact arising from the recommendations
Comprehensive Impact Assessment Implications		
Equality and Diversity		The CSP addresses issues including hate crime and specific crimes relating to vulnerable members of the community such as distraction burglary.
Safeguarding		CSP staff engage in a number of safeguarding forums and promote effective safeguarding practice in their work. This links to internal Council safeguarding. The Community Safety Specialist is also the Safeguarding Specialist at WDBC.
Community Safety, Crime and Disorder		The report details the many implications on Community Safety of West Devon Borough Council’s engagement in the CSP.
Health, Safety and Wellbeing		The CSP works closely with public health and other partners on health and wellbeing issues including alcohol, licensing and mental health.
Other implications		

Process checklist	Completed
Portfolio Holder briefed	Yes/No
SLT Rep briefed	Yes/No
Relevant Exec Director sign off (draft)	Yes/No
Data protection issues considered	Yes/No
If exempt information, public (part 1) report also drafted. (Cabinet/Scrutiny)	Yes/No

Report to: **Overview and Scrutiny Committee**
Date: **10 November 2020**
Title: **Safeguarding – Annual Update**
Portfolio Area: **Corporate Services**
Wards Affected: **All**
Relevant Scrutiny Committee: N/A

Urgent Decision: **N** Approval and clearance obtained: **Y / N**

Date next steps can be taken:
(e.g. referral on of recommendation or implementation of substantive decision)

Author: **Louisa Daley** Role: **Safeguarding Specialist**

Contact: Louisa.daley@swdevon.gov.uk

RECOMMENDATION:

That the Overview and Scrutiny Committee:

- 1. continue to review safeguarding annually; and**
- 2. RECOMMEND to Council that the revised safeguarding policy (as set out at Appendix A) be adopted.**

1. Executive summary

The purpose of this report is to provide Members with the opportunity to annually scrutinise and review Safeguarding practice and procedure. This followed recommendations from previous Internal Audit recommendations including October 2017 which stated that Safeguarding should be considered a stand-alone subject due to its complexity.

2. Background

Following Overview and Scrutiny recommendations in January 2020, Members agreed to review an annual updated Safeguarding Policy (appendix A) and also to review and scrutinise safeguarding practice and procedures on an annual basis.

The Audit Partnership completed an Internal Audit on Safeguarding in October 2020. The draft Audit Opinion was "Reasonable Assurance – there is a generally sound system of governance, risk management and control in place. Some issues, non-compliance or scope for improvement were identified which may put at risk the achievement of objectives in the area audited."

3. Outcomes/outputs

3.1 The Safeguarding Specialist meets with other District Council Safeguarding Leads on a quarterly basis to share good practice and to represent the Councils with both the Devon Children and Families Partnership and the Adult Safeguarding Board. This ensures ongoing compliance and areas of emerging threat and risk are known, then mitigated, through partnership working.

3.2 In January and February risks were identified around contextual safeguarding of young people in West Devon. This resulted in the Safeguarding Specialist being required to Chair Community meetings under the Social Care framework of the Adolescent Safety Framework. Contextual Safeguarding is an approach to safeguarding that responds to young people's experiences of harm outside of the home, for example with peers, in schools and in the community. There is some overlap with the Safeguarding and Community Safety roles, the current Specialist holds both roles.

3.3 During the lockdown period there were increased safeguarding queries and advice provided as communities rallied together to support those vulnerable in the community. The early lockdown period saw calls from concerned community groups around mainly older people, living alone that were identified as needing help and assistance. As lockdown continued and the weather was warmer, safeguarding queries reflected national concern around domestic abuse and the calls and queries received reflected this. There were also calls during this time from concerned neighbours who could hear situations unravelling in properties where windows were open or where children were outside.

3.4 Following emerging risks and concerns identified in 3.3, it was felt necessary for the organisation to implement a Domestic Abuse Policy for staff and accompanying guidelines for the policy. The guidelines have already proven useful.

3.5 The partnerships that West Devon Borough Council has and continues to develop between other agencies and partnerships are strong. The Safeguarding and Community Safety Specialist regularly attend and engage in these partnerships. They include:

- The **Community Safety Partnership** who work strategically and operationally on themes such as Drug and Alcohol reduction, Vulnerability, Suicide and provide the Council and others with free courses on issues such as Exploitation.
- **The Devon and Torbay Prevent Partnership** (Counter Terrorism) is also a close working partner, the safeguarding specialist is also West Devon Borough Council Prevent Lead and receives regular updates on any terror threats in our area and the latest updates and recommendations for local councils. The work planned in June 2020 with the Senior Leadership Team and the Counter Terrorism Advisor (CTA) for the South West has been placed on hold due to the current pandemic, this will resume as available.
- **Devon and Children's Family Partnership** (previously known as the Safeguarding Children's Board) and the **Devon Safeguarding Adults Board** remain close partners and the safeguarding specialist meets on a quarterly basis with both of these boards as part of the Devon District Safeguarding Officers Network where good practice is developed and shared.
- **MARAC** (Multi Agency Risk Assessment Conference) which risk manages residents who experience Domestic and Sexual Violence, demonstrate how essential partnership working is. A Housing Senior Case Worker shares attendance with the Safeguarding Specialist at MARAC meetings.
- The **Adolescent Safety Framework** as previously identified in item 3.2.
- The **South Devon Sexual Violence and Domestic Violence and Abuse Forum** which the community safety specialist co-chairs with a Manager from Splitz, Devon's commissioned service for domestic abuse.
- The Senior Specialist in Housing (Sophie Cobbledick) attends bi monthly **Devon Homeless Prevention Partnership** meetings where projects and policies are developed to meet and safeguard the needs of vulnerable young people aged 16-18 and care leavers at risk as homelessness. These meetings are attended by Senior Managers in district housing teams and by commissioners and senior managers from DCC Children's Services.
- Joint working protocol developed by Devon County Council in partnership with the districts for the service offer for **Care Leavers**. This is currently in draft form and is being worked on by the Senior Housing Specialist. The document aims to identify the separate elements and skill sets needed for independent living and requires the input of all statutory services to ensure Care leavers are enabled to live safely and independently.
- Following on from the secondment placement into the MASH team with children's services; extensive work has been done to ensure that all young people at risk of homelessness continue to be identified and referred to our Housing Team, including the

development of a Duty to Refer process which is easily accessible to Social Workers. This joint working approach ensures that young people at risk of sexual exploitation, abuse and homelessness are safeguarded and supported to access and maintain accommodation.

- Presentations delivered to Adult Safeguarding Teams across South and West Devon to ensure adults with learning disabilities, at risk of exploitation or abuse and in housing need are referred into Housing Services where appropriate. Housing services have equally received training on referrals to adult services where there are suspected unmet care needs etc. This joint working approach ensures that vulnerable adults are supported to source and maintain accommodation and to live independently.
- **Disabled Adapted Need Panel**, established and chaired by Steph Rixon Senior Housing Specialist, continues to identify and safeguard those at risk in their own homes due to adaptation needs. Working in partnership with Occupational Health, Environmental Health and Housing these needs are identified and a joint working approach is employed to ensure these needs are met.

The breadth and depth of safeguarding awareness amongst staff and Members continues to develop, this was positively highlighted during the lockdown period as previously set out. Offers of regular training, information in staff and member bulletins and briefings and regular attendance at team meetings with Localities and in staff management meetings provide opportunity for question and answer sessions that are reported as helpful. Raising awareness of safeguarding to our staff, supporting vulnerable people in our communities and signposting where appropriate will continue as part of daily business.

4. Options available and consideration of risk

Safeguarding by its very nature carries a degree of risk. The client group is vulnerable and often chaotic.

WDBC minimises these risks by the ongoing training of staff, promotion and awareness of a safeguarding specialist who has expert subject knowledge, close working relationships with agencies such as the police and the council also has robust safeguarding procedures put in place. The safeguarding specialist is supported by safeguarding champions who are identified throughout the breadth of the local authority and who are identified on the intranet, with accompanied contact details.

WDBC is proactive in projects and staff training. At the last Overview and Scrutiny Committee in January 2020, Members requested safeguarding and exploitation briefings on a range of subjects. These were delivered to Members across West Devon and South Hams in February and March 2020 and covered themes such as County Lines, Child Sexual Exploitation, Domestic Violence and Abuse, Modern Slavery and Counter Terrorism and how/who to contact for advice and information on reporting mechanisms.

A recent Internal Audit for Safeguarding stated the draft Audit Opinion as “reasonable assurance” whilst highlighting some areas where there is scope to further embed safeguarding into day to day activities for all staff.

5. Proposed Way Forward

Members are recommended to review the revised safeguarding policy and adopt this as the new policy.

E-learning training packages for safeguarding and for domestic abuse awareness were introduced online this year, following increases as documented during the first COVID lockdown period. Members are recommended to support these training packages as mandatory for all staff and Members to complete.

6. Implications

Implications	Relevant to proposals Y/N	
		To support ongoing training for staff and members to further highlight safeguarding in all its forms.
Legal/Governance		The Care Act 2014, sections 42-46 The Counter Terrorism Act, section 26 The Modern Slavery Act 2015 The Crime and Disorder Act 1998, section 17 The Children Act 2004, section 11 The Domestic Violence, Crime and Victims Act 2004, section 9 The Anti-Social Behaviour, Crime & Policing Act 2014 The Serious Crime Act 2015, particularly Part 5
Financial		Minimal training budget required for safeguarding leads and some specialist housing staff. Safeguarding lead will then train non specialist staff to an appropriate level.
Risk		The report is for information and as such there is no risk associated with decisions to set out.
Comprehensive Impact Assessment Implications		
Equality and Diversity		Safeguarding legislation and WDBC procedures are applied in conjunction with equality and diversity standards.
Safeguarding		Safeguarding standards, information and signposting is open to residents, customers AND staff of WDBC.

Community Safety, Crime and Disorder		Where safeguarding crosses with community safety and crime issues the safeguarding specialist will liaise with the community safety specialist.
Health, Safety and Wellbeing		The safeguarding lead works closely with public health and other partners on health and wellbeing issues including drugs, suicide, trafficking.
Other implications		n/a

Safeguarding Policy

November 2020

Working together



South Hams
District Council



West Devon
Borough
Council

1. Introduction

1.1 This policy is based on the councils responsibilities under:

- 1.1.1 The Care Act 2014 in particular Sections 42 to 46 related to safeguarding, further information can be found at: <http://www.legislation.gov.uk/ukpga/2014/23/contents/enacted>
- 1.1.2 The Children Act 2004, specifically Section 11 which places a duty on key people and public bodies, including District councils, to make arrangements to ensure that their functions are discharged with regard to the need to safeguard and promote the welfare of children. Further information can be found at: <http://www.legislation.gov.uk/ukpga/2004/31/contents>
- 1.1.3 The Counter Terrorism Act section 26 which places a duty on certain bodies, in the exercise of their functions, to have due regard to the need to prevent people from becoming terrorists or supporting terrorism. The Prevent Agenda is one of four strands which makes up the Governments counter-terrorism strategy. Further information can be found at: <http://www.legislation.gov.uk/ukpga/2015/6/contents>
- 1.1.4 The Modern Slavery Act 2015. Further information can be found at: <http://www.legislation.gov.uk/ukpga/2015/30/contents/enacted>
- 1.1.5 The Anti-Social Behaviour, Crime and Policing Act 2014 in particular Part 10 relating to forced marriage. Further information can be found at: <http://www.legislation.gov.uk/ukpga/2014/12/contents/enacted>
- 1.1.6 The Serious Crime Act 2015 particularly Part 5 relating to female genital mutilation, child cruelty and domestic abuse. Further information can be found at: <http://www.legislation.gov.uk/ukpga/2015/9/contents/enacted>
- 1.1.7 The policy is written with reference to the principle of Think Child, Think Parent, Think Family. Further information can be found at: <http://www.publichealth.hscni.net/publications/think-child-think-parent-think-family-0>

2. Policy commitment

2.1 South Hams District Council and West Devon Borough Council (to be referred in this document as South Hams and West Devon Councils or The Councils) believe that all children, young people and adults have the right to be safe, happy and healthy and deserve protection from abuse. The Councils are committed to safeguarding from harm all children, young people and adults with care and support needs (see definition in point 4 relating to the Care Act 2014) using any council services and involved in any of their activities, and to treat them with respect during their dealings with the Councils.

3. Aims of the Policy

3.1 The aims of the policy are to:

- Clarify the roles and responsibilities of all parties within scope of the policy.
- Support the promotion of a safe working environment and a culture of care in which the rights of all children, young people and adults with care and support needs are protected and respected.
- Promote best practice in how employees and associated workers interact with children, young people and adults with care and support needs whilst providing Council services.

- Minimise the chances of abuse through effective Council recruitment and ensure that the Councils implement safer recruitment and selection practices robustly.
- Provide a framework for developing partnerships with appropriate external bodies such as Devon and Children's Family Partnership and Devon Safeguarding Adults Board, to ensure that the policy continues to reflect legal and best practice requirements in respect of the responsibility of care of children, young people and adults with care and support needs.

4. Scope of the Policy

4.1 The policy is in respect of the Council's responsibility towards:

- Children and young people, legally defined as any person under the age of 18. From this point the terms child or children will be used to refer to this group.
- Adults with care and support needs are defined under the Care Act 2014 and for the purposes of this policy, as anyone over the age of 18 who:
 - has needs for care and support (whether or not the local authority is meeting any of those needs) **and**;
 - is experiencing, or at risk of, abuse or neglect; **and**
 - as a result of those care and support needs is unable to protect themselves from either the risk of, or the experience of abuse or neglect.
- The employees of the Councils who have dealings with children, young people and adults with care and support needs and who are required to act in a position of trust and to act responsibly and within the law.
- The employees and elected members of the Councils who, while not required to act in a position of trust, will come into contact with members of these groups on a regular basis during the course of their work.
- Volunteers and other workers involved in the provision of council services but not employed by the Councils, including workers in organisations with whom the Council has contracts for the delivery of services.

4.2 It covers all the functions and services of the Council, its elected members, staff and contractors.

4.3 This document is primarily concerned with protecting children, young people and adults with care and support needs from harm and providing guidance on how to deal with issues. However it is important to remember that safeguarding has a wider meaning which includes the promotion of welfare and taking action to enable all children, young people and adults with care and support needs to have the best life outcomes.

4.4 The policy does not cover health and safety issues related to safeguarding children such as use of play equipment or provision of food at events. Separate guidance on this and appropriate behaviours when dealing with children and adults with care and support needs, should be read in conjunction with this policy.

4.4 Where available this policy should also be used in conjunction with the following documents:

- Disciplinary Procedure
- Grievance Procedure
- Whistle Blowing Policy
- Access to Information Policy
- Acceptable Use of ICT Equipment Policy
- Equality, Diversity and Inclusion Policy (Due early 2021)
- Complaints & Feedback Procedure
- Bullying and Harassment Policy

- Health & Safety at Work guidance
- Domestic Abuse Policy for staff
- Domestic Abuse guidelines and further information for staff

5. Responsibility

5.1 Responsibility for the implementation of this policy lies at all levels of the Councils.

Elected Members
<ul style="list-style-type: none"> ▪ Responsible for ensuring that the council has a policy, which adequately provides protection for children and adults with care and support needs in receipt of its services and for the regular review of this policy in the light of changes to legislation e.g. Data Protection Act, or new legislation or regulation ▪ Report any concerns to the Safeguarding Lead or other available safeguarding champion ▪ Appointing a lead member for Safeguarding which sits under the theme of Wellbeing
Senior Leadership Team
<p>The Head of Paid Service / Chief Executive is the lead officer with overall responsibility for the organisation's safeguarding arrangements. This officer is also the designated child protection officer.</p> <ul style="list-style-type: none"> ▪ The Senior Leadership Team are responsible for ensuring that this policy, audit and related procedures are implemented, monitored and scrutinised
Extended Leadership Team
<p>The Head of Housing, Revenues & Benefits is the responsible officer with strategic responsibility for safeguarding and Child protection. In addition, to:</p> <ul style="list-style-type: none"> ▪ Ensure there are adequate Safeguarding Champions throughout the Council service areas ▪ Ensuring that the procurement framework for the authority includes expectations upon contractors to demonstrate effective safeguarding practices for all their staff ▪ Ensuring that proper records are kept of any incidents occurring within their service and that these are held securely and/or passed on to the council's Human Resources/Personnel team if the incident involves a member of staff ▪ Ensuring that all necessary procedures and practices are in place to provide adequate protection both for the individuals in these groups but also protection for the employees involved with them ▪ Ensuring that those people appointed by them to the district council, whose normal duties fall into the definition of Regulated Activity as defined in the Safeguarding Vulnerable Groups Act 2006 and amended by the Protection of Freedoms Act 2012, are subject to the appropriate level of DBS disclosure and are appropriately qualified and/or trained in working with these groups
Safeguarding Specialist
<p>The Safeguarding Specialist is the Council's key policy advisor on safeguarding matters, with an enhanced knowledge of relevant legislation. In addition, to:</p> <ul style="list-style-type: none"> ▪ Advise those services and posts that are likely to have an involvement with children and adults with care and support needs, and undertaking an appropriate risk assessment of posts in respect of DBS disclosure requirements ▪ Advising the Safeguarding Champions by regular legislative updates and providing inputs on key issues

- Provide support to staff
- Report to Overview and Scrutiny Committees annually
- To work with other Safeguarding Leads across Devon to continually review practice and link into key organisation such as the Devon Safeguarding Adults Board and the Devon and Children Families Partnership
- To ensure that there is a secure central record relating to allegations and investigations
- Act as multi-agency partner on the Devon Children's and Family Partnership (previously known as the Devon Children's Safeguarding Board) and Devon Safeguarding Adult Board
- Advocate the importance of safeguarding to partners and customers
- Ensure all safeguarding policies, procedures and guidelines are implemented and promoted
- Provide robust responses as an active consultee on relevant policies introduced by South Hams and West Devon Councils
- Receiving concerns, discussing them with whoever has raised the concern and taking advice from the relevant partner agency/County Council service: this could include complex matters such as consent and whether parents/carers should be notified
- Making a decision about how to proceed and whether to make a formal referral. If there is disagreement on the appropriate course of action to take then the safeguarding specialist/champion has the final decision. Where staff are dissatisfied with the decision of the safeguarding specialist/champion, they should report their concerns to their line manager in the first instance and can still contact the appropriate safeguarding agency if they have strong concerns.
- Ensuring the procedure is followed on such matters as making a referral, confidentiality and recording
- Working with colleagues to share and to improve practice across the organisation
- In the event of an incident or query, should the safeguarding specialist/champion not be available, staff should go straight to relevant safeguarding agency. The staff member can be supported by a senior manager but details of any incident must not be shared unless absolutely necessary
- Information should be documented in accordance with Safeguarding and Data Protection legislation
- The Safeguarding Specialist within South Hams and West Devon Councils will deliver safeguarding advice to staff

Human Resources

- Working with managers & Heads of Practices in maintaining a record of those posts, requiring a DBS disclosure together with the level of disclosure required and ensuring these are undertaken in compliance with legislation, the DBS policy and DBS guidance
- Ensuring that recruitment procedures are robust and that information pertinent to working with these groups is obtained during the recruitment procedure
- Supporting managers in dealing with allegations of abuse or lack of care by staff
- Referring information to the DBS and Local Authority Designated Officer (LADO) about employees who have been dismissed or removed from working with vulnerable groups (or would have been had they not left/resigned) as a result of a relevant caution/conviction, conduct that has harmed or put a child/vulnerable adult at risk of harm, or satisfied the 'Harm Test' in relation to vulnerable groups
- Ensure support is offered for staff who have been effected by their involvement in a safeguarding case

Specialist Manager & Case Management Manager

- Ensure that any evidence or complaint of abuse or lack of care by staff is reported to Human Resources

- Ensuring that employees, volunteers and other workers dealing with these groups are adequately trained and aware of their responsibilities in this area
- Ensuring that external contractors delivering council services are aware of the council's expectation that workers are aware of and abide by the standards of behaviour expected of council employees
- Ensuring that carers and/or parents of the children and adults with care and support needs are aware that, in providing services, council employees are not normally acting in loco parentis, except in relation to events for unaccompanied children who have been formally registered
- Ensuring the carers and/or parents of the children and adults with care and support needs who are in direct receipt of council services ¹ are made aware that services will be delivered in line with this policy
- Ensuring that any evidence or complaint of abuse or lack of care is reported to the appropriate body e.g. Devon County Council, Safeguarding Board or the Police, and to council's Human Resources or Personnel team where members of staff are involved
- Ensuring that employees and others do not work with children or adults with care and support needs on regulated activities without an appropriate Disclosure & Barring Service (DBS) disclosure
- Working with other associated agencies to ensure the proper transfer of information relating to dealings with children and adults with care and support needs, where necessary
- Ensuring that adequate supervision and support is available to those who have been directly involved in dealing with safeguarding cases, including a de-brief of the case and any relevant outcomes

Safeguarding Champions

- Maintain an understanding of the key safeguarding risks as directed by the Safeguarding Specialist
- Be a point of contact for the service area, check the facts of the concern and discuss with the Safeguarding Specialist

All staff

- Treating all those children and adults with whom they come into contact while carrying out their work according to their needs and with respect
- Report safeguarding concerns and provide any evidence required to enable necessary safeguarding action to be taken
- If there is an immediate concern and risk of harm or a crime is being committed call 999 immediately
- If there is no immediate concern, make a note of the details of the concern and discuss with the Safeguarding Specialist or a Safeguarding Champion
- In the absence of the Safeguarding Leads speak to your Line Manager
- Ensure the details of the concern remain confidential and any notes are kept securely
- Ensuring that they are familiar with and understand the policies and procedures relating to their work with or in the vicinity of children and adults with care and support needs.
- Ensuring that they feel confident in working within this environment and working with their managers to ensure that they have the knowledge and skills to carry out their tasks in this context.
- Reporting to a safeguarding lead, any concerns they may have about abuse or a lack of care of children and adults with care and support needs either from other

¹ For example: this would include arranging accommodation for a vulnerable adult or holding an event for children at the museum. It would not include arranging accommodation for a family with children where the contract is with the parents/carers.

staff, from carers, parents or those in loco parentis or between members of the group

- Any staff who have a safeguarding concern should in the first instance discuss the matter with the Safeguarding Specialist or one of the Safeguarding Champions who will make a decision whether or not to refer the matter to an appropriate external organisation

Volunteers and contractors

- Working with employees of the council, to the same standard, in ensuring the safety and well-being of children and adults with care and support needs within their scope
- Participating in any training or development opportunities offered to them to improve their knowledge of skills in this area
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6. Review

- 6.1 This policy and the guidance will be reviewed annually or whenever there is a change in the related legislation or an emerging risk is identified. This will ensure these documents are up to date and fit for purpose.

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OVERVIEW AND SCRUTINY COMMITTEE

DRAFT ANNUAL WORK PROGRAMME – 2020/21

Date of Meeting	Report	Lead Officer
19 January 2021	Task and Finish Group Updates (if any)	
	Hub Committee Forward Plan	Janice Young
	Update from the Financial Stability Review Group – Quarterly Update	Lisa Buckle
	Update from the Rural Broadband Working Group (<i>standing agenda item</i>)	Steve Mullineaux
	Draft Budget Proposals 2021/22	Lisa Buckle
2 March 2021	Task and Finish Group Updates (if any)	
	Hub Committee Forward Plan	Janice Young
	Fusion Leisure – Annual Report and Presentation	Jon Parkinson
	Update from the Rural Broadband Working Group (<i>standing agenda item</i>)	Steve Mullineaux
13 April 2021	Task and Finish Group Updates (if any)	
	Hub Committee Forward Plan	Janice Young
	Update from the Financial Stability Review Group = Quarterly Update	Lisa Buckle
	Update from the Rural Broadband Working Group (<i>standing agenda item</i>)	Steve Mullineaux

Future Item(s) to be programmed:

- Peer Review Action Plan: Progress Update;
- Planning Enforcement: Verbal Update (*Hub Committee request*); and
- IT Platform Project Update.

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