

Birmingham City Council

Corporate Safeguarding Policy

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1. Important Contact Numbers

Children's Social Care Services (Birmingham Children's Trust)	0121 303 1888
Outside of office hours Children's Social Care (Birmingham Children's Trust)	0121 675 4806
Adult Social Care Services	0121 303 1234
Outside of office hours Adult Social Care	0121 675 4806
West Midlands Police	101 (or in an emergency 999)
NSPCC (National Society for the Prevention of Cruelty to Children)	0808 800 5000
Local Authority Designated Officer (Allegations against a professional or someone working with children and young people)	0121 675 1669

2. Purpose and Scope

- 2.1 This policy provides guidance for all Birmingham City Council staff, Elected Members, volunteers and individuals, consultants and agencies contracted (and sub-contracted) by Birmingham City Council who may come across concerns regarding the safeguarding and protection of children, young people and adults within the context of their work.
- 2.2 It supports Birmingham City Council in achieving Corporate Plan (2022-26) priority 8: "Support and enable all children and young people to thrive" and priority 10: "Protect and safeguard vulnerable citizens"
- 2.3 The policy is relevant to all of Birmingham City Council's work it delivers, commissions and funds.

3. Legal Framework

- 3.1 Birmingham City Council's local authority functions mean that it has an overarching responsibility for safeguarding and promoting the welfare of all children and young people in its area. The law requiring this is set out under the 1989 and 2004 Children Acts, the Education Act 2002, and complemented by government guidance including the statutory guidance in Working Together to Safeguard Children (July 2018) and Keeping Children Safe in Education (September 2022).
- 3.2 For adults, Local authorities have a number of statutory powers and duties to safeguard adults in cases of abuse and neglect. Some of these powers are contained in the Care Act 2014 which 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. It includes a duty for Birmingham City Council to make enquiries,

or request others to make them, when we think an adult with care and support needs may be at risk of abuse or neglect and they need to find out what action may be needed. Outside of the Care Act, local authorities have various statutory powers to take more coercive action in safeguarding cases under a range of mental health and public health powers, inherent jurisdiction and the criminal law.

- 3.3 For children, local authorities have a range of statutory powers and duties to safeguarding the welfare of children under the Children Act 1989 and Children Act 2004, which places a duty on the local authority to safeguard children and to make arrangements through key agencies to co-operate to improve the well-being of children and young people in their area. In Birmingham, some of these functions are delegated by the Council to Birmingham Children's Trust who deliver children's social care on behalf their behalf.

4. Wider context

- 4.1 This policy also sits in a wider context of safeguarding policies, procedures, and guidance which may apply to the Council and its officers. These includes:
- Birmingham Safeguarding Children Partnership Procedures & Practice Standards [Professionals](https://www.iscpbirmingham.org.uk) - Birmingham Safeguarding Children Partnership ([iscpbirmingham.org.uk](https://www.iscpbirmingham.org.uk))
 - West Midlands Child Protection and Safeguarding Procedures [Welcome](https://www.procedures.org.uk) | West Midlands Safeguarding Children Group ([procedures.org.uk](https://www.procedures.org.uk))
 - Working Together to Safeguard Children [Working Together to Safeguard Children 2018](https://www.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/61222/working-together-to-safeguard-children-2018.pdf) ([publishing.service.gov.uk](https://www.publishing.service.gov.uk))
 - Keeping Children Safe In Education [Keeping children safe in education 2022](https://www.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/61222/keeping-children-safe-in-education-2022.pdf) ([publishing.service.gov.uk](https://www.publishing.service.gov.uk))
 - Liberty Protection Safeguards [Mental Capacity \(Amendment\) Act 2019: Liberty Protection Safeguards \(LPS\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/61222/mental-capacity-amendment-act-2019-liberty-protection-safeguards-lps.pdf) - GOV.UK (www.gov.uk)
 - Prevent Duty & Extremism Guidance [bct-csc-prevent-guidance-june-2018-181119.pdf](https://www.proceduresonline.com/bct-csc-prevent-guidance-june-2018-181119.pdf) ([proceduresonline.com](https://www.proceduresonline.com))
 - Care Act 2014 [Care Act 2014](https://www.legislation.gov.uk/ukpga/2014/6/contents) ([legislation.gov.uk](https://www.legislation.gov.uk))
 - Adult Safeguarding: Multi-agency policy & procedures for the protection of adults with care & support needs in the West Midlands. [WM Adult Safeguarding PP v20 Nov 2019.pdf](https://www.safeguardingwarwickshire.co.uk/wp-content/uploads/2019/11/WM-Adult-Safeguarding-PP-v20-Nov-2019.pdf) ([safeguardingwarwickshire.co.uk](https://www.safeguardingwarwickshire.co.uk))
 - Information Sharing Protocol Safeguarding Adults [Information Sharing Protocol](https://www.bsab.org/information-sharing-protocol) | Birmingham Safeguarding Adults Board ([bsab.org](https://www.bsab.org))
 - Birmingham Safeguarding Adults Board Procedures <https://www.bsab.org/professionals/>
 - Any other Council service specific policies from time to time in force.

5. Overview

- 5.1 It is a duty of Birmingham City Council to ensure that children/young people and adults are safeguarded from harm. The Director of Children's Services has professional responsibility for children's services, including operational matters, although children's social care is commissioned by the Council to be delivered by Birmingham Children's Trust, including statutory work under Section 17 and Section 47 of the Children Act 1989; and the Director of Adults is responsible for adults' services.
- 5.2 Everyone has a responsibility to safeguard the welfare of children, young people, and adults at risk, whatever the role of the individual, or Birmingham City Council service or Directorates they work in.
- 5.3 Each Directorate needs to be aware of how their staff interact with children/young people and with adults at risk, providing appropriate training on safe working practices and on creating safe environments. Staff should be alert to any indications that a child or adult at risk may need to be safeguarded from harm and know who to contact if they have concerns.
- 5.4 Organisations that Birmingham City Council contracts with will be required through either legislation and/or the terms of their contract to have appropriate safeguarding policies in place for their staff.
- 5.5 The significance of safeguarding to the wider organisation is recognised and where safeguarding risks are identified Directorates and services must ensure these are recorded in their Risk Registers and where appropriate escalated into the Corporate risk register.
- 5.6 Birmingham City Council will work with the appropriate statutory bodies when an investigation into child abuse or a safeguarding adult's investigation is necessary.
- 5.7 For this policy to be effective it is essential that each Birmingham City Council Directorate as well as agencies and people working within them have an applied understanding of what safeguarding means, knows that safeguarding is everyone's responsibility, knows the signs and symptoms of potential harm, how to access safeguarding procedures, advice, and guidance, and is committed to making an informed contribution to safeguard children, young people, and adults at risk.
- 5.8 Birmingham City Council will ensure their staff are appropriately trained for the roles they undertake.

6. Safeguarding

- 6.1 Any allegations or concerns that children/young people and adults may be suffering harm should be raised with Birmingham Children's Trust or Adult Social Care service. There is no such thing as information being given "in confidence" – there is a duty of care and legal responsibility for the Council to respond to safeguarding concerns or incidents. If a child or adult is in immediate danger, you should always call the police. (Refer to sections 11 and 12 below for ways to make contact with these agencies).

Children and young people at risk

- 6.2 Working Together to Safeguard Children statutory guidance defines safeguarding and promoting the welfare of children as:
- protecting children from maltreatment
 - preventing impairment of children's health or development
 - ensuring that children grow up in circumstances consistent with the provision of safe and effective care.

The definition of a child and/or young person for the purpose of this document is anyone under the age of 18 years.

- 6.3 It should be noted that a child that has reached 16 years of age, is living independently or is in further education, is a member of the armed forces, is in hospital or in custody in the secure estate for children and young people, does not change his or her status or entitlement to services or protection under the Children Act 1989.

Safeguarding adults at risk

- 6.4 Adult safeguarding is working with adults with care and support needs to keep them safe from abuse or neglect. It is an important part of what many public services do, and a key responsibility for Birmingham City Council.
- 6.5 Adult safeguarding is aimed at people with care and support needs who is experiencing, or may, be at risk of abuse or neglect. We will work in partnership with local services, partners, agencies and other appropriate stakeholders to take steps to protect those at risk.
- 6.6 An adult at risk is a person who is or may be in need of care and support by reason of mental or other disability, age, or illness, and who is or may be unable to take care of him or herself, or unable to protect him or herself against significant harm or exploitation.
- 6.7 An adult at risk may therefore be a person who:
- is elderly and frail due to ill health, physical disability, or cognitive impairment
 - has a learning disability
 - has a physical disability and/or a sensory impairment
 - has mental health needs including dementia or a personality disorder
 - has a long-term illness/condition
 - misuses substances or alcohol
 - is a carer, such as a family member/friend, who provides personal assistance and care to adults and is subject to abuse
 - is unable to demonstrate the capacity to make a decision and is in need of care and support.

(This list is not exhaustive)

7. Signs of abuse

7.1 Staff will be able to recognise abuse. Under the Care Act 2014 the main forms of abuse are divided into the following categories:

- **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** – slavery, human trafficking, forced labour and domestic servitude. People are bought and sold for sexual exploitation, forced labour, street crime, cannabis cultivation, grooming and pimping, domestic servitude, forced marriage or even the sale of organs and human sacrifice.
- **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. It involves no other perpetrator.
- **Sexual Exploitation** – this covers exploitative situations where a person receives ‘something’ as a result of them performing or having performed on them, sexual activities.

7.2 Children may be vulnerable to neglect and abuse or exploitation from within their family and from individuals they come across in their day-to-day lives. These threats can take a variety of different forms, including sexual, physical and emotional abuse; neglect; domestic abuse, including controlling or coercive behaviour; exploitation by criminal gangs and organised crime groups; trafficking; online abuse; sexual

exploitation and the influences of extremism leading to radicalisation. Whatever the form of abuse or neglect, practitioners should put the needs of children first when determining what action to take.

- 7.3 Children, young people and adults at risk can be influenced by those who would seek to radicalise them. Birmingham City Council has a legal duty to work to prevent people from being drawn into terrorism. This “prevent duty” is led by the Prevent Co-ordinator (BCC Community Safety and Resilience Service) but safeguarding children/young people and adults from the risk of radicalisation extends to all staff. As such all staff should recognise the risk of radicalisation as a safeguarding issue and respond to signs of this as they would to other abuse.

8. What this means for our work

- 8.1 In their day-to-day work, officers employed by Birmingham City Council will endeavour to safeguard children, young people and adults by:
- reporting in a timely way any concerns or suspicions that a child or young person, or an adult is being or is at risk of being abused.
 - always giving a high priority to actions to protect a child/young person or an adult from abuse
 - reporting without delay concerns or allegations
 - ascertaining the wishes and feelings of children/young people and adults, valuing them, listening to, and respecting them
 - sharing information about safeguarding and good practice with children/young people, parents, adults at risk, carers, staff, and volunteers
 - sharing information about concerns with agencies who need to know, and involving parents and children/young people or adults at risk and carers appropriately
 - providing effective management for staff and volunteers through supervision, support, and training
 - providing senior management commitment and accountability to safeguard and promote the welfare of children/young people and of adults
 - being clear about the authority’s responsibilities for safeguarding and promoting the welfare of children/young people and adults
 - involving adults, carers, children and young people and families in planning and developing services
 - ensuring services for children/young people and adults are safe and accessible
 - attending staff training and continuing professional development
 - following safe recruitment, vetting procedures, and responding to allegations against staff
 - providing effective inter-agency working to safeguard and promote the welfare of children/young people and adults at risk
 - reviewing our policy and good practice annually.
- 8.2 Birmingham City Council will support safeguarding work by ensuring all its staff, Members, individuals, consultants and agencies contracted by them:

- understand their legal and moral responsibility to protect children, young people, and adults from harm, abuse, and exploitation
 - have an appropriate understanding of child protection and adult safeguarding as part of their training and induction if they work directly with children and young people or with adults
 - understand their duty to report concerns that arise about a child or young person or adult, or a member of staff's conduct towards a child/young person or adult at risk.
- 8.3 Birmingham City Council will ensure that any procedures relating to the conduct of staff are implemented in a consistent and equitable manner.
- 8.4 Safeguarding is delivered and achieved through good interagency and multi-disciplinary working within Birmingham City Council and with other organisations. Standards of practice in work with children, young people, adults and their families or carers are regularly reviewed in line with relevant national guidance. Working effectively with partners and other agencies means:
- supporting the Birmingham Safeguarding Children Partnership and the Birmingham Safeguarding Adults Board to carry out their duties in partnership with other local organisations
 - commissioned organisations, including the voluntary sector, providing services to children, young people, adults at risk, their families, or carers and to schools demonstrating standards of safeguarding compliant with the policies and procedures of Birmingham City Council.
 - information is shared efficiently and effectively in respect of issues that may affect the safety and welfare of children, young people, or adults at risk.
 - concerns are shared early in order to prevent any problems escalating.
 - ensuring that Birmingham City Council has a network of Directorate designated safeguarding leads who can act as trained and accessible safeguarding advocates to support staff to make alerts.

9. Safe Recruitment

- 9.1 The Council is committed to safe recruitment practices and recognises that this fits into an overall corporate approach to safeguarding across a range of functions that need to operate together in order to be effective. This applies to employees, volunteers, work placements, elected members, licencing, school transport arrangements and any other regulated positions.
- 9.2 The Council's safe recruitment process includes pre-employment vetting which involves establishing full employment histories; proof of identity; satisfactory references; health assessment; checks of qualifications; asylum and immigration checks; and criminal record checks with the Disclosure and Barring Service.
- 9.3 The Council's website will contain links to the current versions of safer recruitment policies that are in force.

10. Safeguarding Training

- 10.1 All new members of staff will:
- receive induction training (when relevant to their role) which should include how to identify and report safeguarding concerns within the appropriate levels of confidentiality.
 - be expected to undertake awareness raising/training on safeguarding children and adults with care and support needs at a level appropriate to their role
 - undertake safeguarding refresher training when required (from 2023 this will become mandatory every 2 years).
- 10.2 All managers who participate in recruitment and selection will have undertaken the appropriate training. For those working with children, young people and vulnerable adults this should also include the safer recruitment element.

11. Responsibilities of individuals

- 11.1 Corporate safeguarding is everybody's business in every directorate within the Council. However, certain employees have particular roles, outlined below.
- 11.2 The Lead Member for Children's Services holds political accountability for all local authority children's services, including education and social care.
- 11.3 Our Chief Executive holds the council's overarching responsibility for ensuring that there are effective safeguarding arrangements for children, young people and adults; that policies and procedures are in place and that they are robust, up to date and fit for purpose; that there are effective corporate governance arrangements and that all statutory requirements are met.
- 11.4 The Director of Children's Services is the designated person with overall responsibility for safeguarding of children and young people. In addition, the Director of Children's Services (as agreed by the Corporate Leadership Team on 6th June 2022) will act as Corporate Safeguarding Lead (as per the requirements set out under Section 11 of the Children Act 2004 and described in Working Together to Safeguarding Children 2018 statutory guidance and Keeping Children Safe in Education guidance September 2022). The Director of Children's Services will work closely with members of the Executive Team within Birmingham Children's Services in view of the commissioned arrangements in respect of children's social care functions as outlined above.
- 11.5 The Director of Adult Social Services is the designated person with overall responsibility for safeguarding adults. The Head of Service for Adult Safeguarding will act as the Adults Services representative at the Corporate Safeguarding Network
- 11.6 The Director for Human Resources (HR) is responsible for ensuring that robust safe staffing procedures are in place for undertaking the relevant checks which form part of the safer recruitment and selection process e.g. criminal records/DBS, right to work checks etc. As well as overseeing employee disciplinary investigations if any concerns, disclosures or allegations of abuse by an employee are made.

- 11.7 All employees of Birmingham City Council and Elected Members are to:
- understand and apply this policy and procedure in their activities
 - identify opportunities and undertake appropriate training to support them in their role
 - act appropriately at all times and be able to challenge inappropriate behaviour in others
 - be able to recognise harm
 - know how to report any concerns in a timely and appropriate way.
- 11.8 In addition, Chief Officers, senior managers, and designated safeguarding leads of the City Council should ensure they have sufficient oversight of Birmingham City Council's safeguarding responsibilities particular to their areas. They should ensure they:
- have a working knowledge of relevant legislation and guidance with respect to safeguarding and promoting the welfare of children/young people and adults at risk and how this applies to their Service and or Directorate
 - are responsible for communicating to all staff the importance of safeguarding and promoting the welfare of children and adults and that it is everybody's responsibility to do so
 - have effective working relationships with other parts of the Council and with other agencies in order to safeguard and promote the welfare of children and adults at risk.
 - report identified training needs of staff to managers with responsibility for staff training and offer opportunities to undertake appropriate safeguarding training
 - that the policy and procedure is adhered to; and
 - ensure that all staff know how to access the whistle blowing procedures.
 - where an individual's role requires it, comply with the requirements of the Birmingham City Council's DBS policy and procedures
 - Chief Officers will provide safeguarding assurance to the Corporate Leadership Team monthly through a line of sight update provided by the Corporate Safeguarding Network (with representation from every Directorate).
 - Chief Officers and their services will participate in Section 11 audits in line with the Birmingham Safeguarding Children Partnership audit programme.

12. Acting on concerns

12.1 **If you think a child, young person or adult is at risk of immediate harm call 999.**

12.2 If you have concerns about the safety and/or welfare of a:

- i. **child or young person** who lives in the Birmingham area phone the Children's Advice & Support Service (CASS) on 0121 303 1888 or via secure email: CASS@birminghamchildrenstrust.co.uk. CASS provides a single point of contact for professionals and members of the public who want to access support or raise concerns about a child. They will listen, assess your concerns, and can take action if a child is at risk.

They are available Monday to Thursday: 8:45am to 5:15pm and Friday: 8:45am to 4:15pm.

Outside of normal office hours call 0121 675 4806 for the Emergency Duty Team.

- ii. **an adult** who lives in the Birmingham area with care and support needs, phone the Adult Social Care Contact Centre on 0121 303 1234 or via email: CSAdultSocialCare@birmingham.gov.uk
Text Relay: Dial 18001, followed by the full national phone number

They are available Monday to Friday from 9am to 5pm

If you believe that the referral you are making is urgent and needs to be responded to when Adult Social Care staff are not routinely available, please contact our Out of Hours team on 0121 464 9001 or 0121 675 4806 or email AMHPoutofhours@birmingham.gov.uk.

13. Responding to concerns and allegations in respect of people in positions of trust

- 13.1 Where an allegation is made in relation to a person working in a position of trust with children or young people you must contact the Local Authority Designated Officer (LADO). You can make a referral by calling 0121 675 1669 or via email: Ladoteam@birminghamchildrenstrust.co.uk
- 13.2 Where an allegation is made in relation to a person working in a position of trust with adults with care and support needs, you must contact the Adult Social Care Contact Centre by calling 0121 303 1234 or via email: CSAdultSocialCare@birmingham.gov.uk

Guidance is available: <https://www.bsab.org/downloads/download/12/person-in-a-position-of-trust-pipot-framework>
- 13.3 Any suspected immediate risk to any child or children, or adult at risk should be responded to immediately and the case referred to Children's Advice & Support Service (CASS) or Adult and Communities Access Point (ACAP) using the contact details given above.

14. Oversight and challenge

- 14.1 Support, coordination and challenge of Birmingham City Council's actions, services and responsibilities to safeguard are overseen by the independently chaired Birmingham Safeguarding Children Partnership and Birmingham Safeguarding Adults Board.
- 14.2 Children's Safeguarding Partnership Audits are undertaken annually where all local agencies and organisations who provide services to children and young people are asked to self-assess the extent to which they meet the safeguarding requirements and standards as set out in Section 11 of the Children Act 2004.

- 14.3 Birmingham Safeguarding Adults Board Scrutiny and Governance Committee and meets eight times a year to review annual Assurance Summaries from each partner organisation, covering a statement of their work, good practice, the citizen's voice and any concerns or themes they have around adult safeguarding. It covers strengths, weaknesses and risks, identifies any learning and development needs and how well the services are meeting the principles of [Making Safeguarding Personal \(MSP\)](#), [Risk Enablement](#) and [Care Act](#) expectations.
- 14.4 Elected Member oversight is provided by the Cabinet Member for Health & Social Care.