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Review of Corporate Arrangements for Safeguarding – **Neath Port Talbot Council**

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This document is also available in Welsh.

The team who delivered the work comprised Alison Lewis and Colin Davies under the direction of Huw Rees.

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Summary report

Summary

What we reviewed and why

- 1 We reviewed Neath Port Talbot Council's (the Council) corporate arrangements for the safeguarding of children and adults. Some governance arrangements for safeguarding operate regionally (in this geographical area through the West Glamorgan Safeguarding Boards, previously the Western Bay Safeguarding Boards). Our review focuses on the Council's own corporate arrangements.
- 2 We undertook this review to seek assurance that the Council has effective corporate arrangements in place for safeguarding. We considered the findings of our 2014 report into the Council's arrangements to support safeguarding of children¹. We also considered the Council's progress in implementing the recommendations contained in the Auditor General's report, **Review of Corporate Safeguarding Arrangements in Welsh Councils** (July 2015)².
- 3 We undertook the review in April and May 2019.

What we found

- 4 Our review sought to answer the question: do the Council's governance and management arrangements provide assurance that children and adults are safeguarded?
- 5 Overall, we found that: the Council has corporate arrangements for safeguarding in place but needs to strengthen some areas.

Proposals for Improvement

Exhibit 1: Proposals for Improvement

The table below sets out the proposals for improvement that we have identified following this review.

¹ Auditor General for Wales, **Local Authority Arrangements to Support Safeguarding of Children – Neath Port Talbot County Borough Council**, Wales Audit Office, August 2014

² A copy of the report is available on the Wales Audit Office website www.audit.wales

Proposals for improvement

- | | |
|----|--|
| P1 | The Council needs to set out the overall governance structure for safeguarding, including how all the different groups concerned with safeguarding matters relate and/or report to one another. |
| P2 | The Council needs to update its corporate safeguarding policy to reflect the revised arrangements for overview and scrutiny of safeguarding and refer to the role of the Corporate Safeguarding Group. |
| P3 | The Council needs to put mechanisms in place to ensure that the roles and responsibilities of specific officers and Elected Members referenced in the corporate safeguarding policy are being effectively communicated and complied with, including having lead safeguarding managers in all service areas. |
| P4 | The Council needs to improve the effectiveness of its Corporate Safeguarding Group by: <ul style="list-style-type: none">a) developing and agreeing a terms of reference for the group to make its role and function clearer;b) defining the role and responsibility of officers in attending the group;c) reviewing the membership to ensure all parts of the organisation are represented;d) setting out where the group reports to, including whether it should report through to an overview and scrutiny committee; ande) regularly assessing the group's effectiveness in delivering the desired outcomes. |
| P5 | The Audit Committee needs to improve their oversight of the Council's risk registers. |
| P6 | The Council needs to strengthen its safe recruitment procedures by: <ul style="list-style-type: none">a) assessing the risks around its current policy on the regularity of DBS checks and determine if any changes are needed;b) formally recording and retaining the risk assessment undertaken when determining if a role needs a DBS check (and at what level) on the corporate HR system;c) improving arrangements for completing DBS checks for staff working in schools; andd) maintaining a central recruitment record for all staff working or volunteering for the Council (including in schools). |
| P7 | The Council needs to strengthen arrangements for safeguarding training by: <ul style="list-style-type: none">a) assessing whether the current training on safeguarding meets its needs; andb) establishing a reliable, central record of training undertaken so there can be a corporate oversight of compliance with training requirements. |
| P8 | The Council should review procurement practices to ensure that safeguarding matters are fully considered and managed when services are delivered on its behalf by third parties. |
| P9 | The Council needs to establish a system to assess and report on the effectiveness of its corporate arrangements for safeguarding. |

Detailed report

The Council has corporate arrangements for safeguarding in place but needs to strengthen some areas

The Council has a corporate safeguarding policy but needs to make governance arrangements for safeguarding clearer

6 In reaching this conclusion we found that:

- The Council is an active member of a number of multi-agency partnerships concerned with safeguarding including the West Glamorgan Safeguarding Boards and the Community Safety Partnership. The Council work with others on a range of initiatives that are relevant to safeguarding including: County Lines³, Prevent⁴, and Violence Against Women, Domestic Abuse and Sexual Violence (VAWDASV). The Council also has its own internal groups that are concerned with safeguarding. The Council could more clearly set out the overall governance structure for safeguarding, including how all the different groups concerned with safeguarding matters relate and/or report to one another.
- The Council's corporate safeguarding policy (dated November 2016) sets out the roles and responsibilities of specific officers and Elected Members. The Council needs to have mechanisms in place to assure itself that these roles and responsibilities are being effectively communicated and complied with.
- The corporate safeguarding policy includes the requirement to 'ensure that there are lead safeguarding managers within each service area', but this requirement has not been met by all service areas.
- The Council should review its safeguarding policy to make sure it remains relevant and up to date, including updating the arrangements for overview and scrutiny and referring to the role of the Council's Corporate Safeguarding Group.
- The Council has a Corporate Safeguarding Group (made up of Council officers) that meets approximately six times a year. The Council could improve the effectiveness of this group by:
 - Developing and agreeing a terms of reference document for the group to give greater clarity to its role and function.
 - Defining the role and responsibilities of officers attending the group.
 - Reviewing the membership of the group to ensure that all parts of the organisation are represented. If the Council does appoint lead safeguarding managers within

³ County Lines is a term used when drug gangs from big cities expand their operations to smaller towns, often using violence to drive out local dealers and exploiting children and vulnerable people to sell drugs.

⁴ The Prevent strategy, published by the Government in 2011, aims to reduce the threat to the UK from terrorism by preventing people from being drawn into terrorism.

each service (as stated in its policy) decide their role in relation to the membership of this group.

- Setting out where the group reports to, including whether it should report through to an overview and scrutiny committee. The Corporate Directors' Group get the minutes of the Corporate Safeguarding Group, but the links could be strengthened by the group identifying what the key issues are and where there are opportunities for improvement for the Corporate Directors' Group to act on these matters.
- Regularly assessing the effectiveness of the group in delivering the outcomes it is seeking to achieve.

The Council has identified safeguarding as a strategic risk but Audit Committee's oversight of the risk register is weak

7 In reaching this conclusion we found that:

- The strategic risk register includes safeguarding as a risk. A number of safeguarding actions are identified in the strategic risk register (with an end date on 31 March 2019) that the Council still needs to act on, including:
 - consider whether there is scope to integrate other safeguarding practices across the Council into a shared corporate service;
 - developing a Social Services Single Point of Contact to promote more robust and consistent decision making at the 'front-door'.
- Only two service risk registers identify safeguarding as a risk; Social Services, Housing and Health and Education, Leisure and Lifelong Learning.
- The Audit Committee received the revised risk registers at their meeting on 19 September 2018. The Audit Committee are not regularly reviewing the Council's risk register and have not received a further report on corporate risk management in the last year.

The Council's systems for safe recruitment provide some assurance but these need to be strengthened

8 In reaching this conclusion we found that:

- The Council has a Safe Recruitment Policy and Procedure (dated May 2015). There are a range of pre-employment checks that must be undertaken including written references and Disclosure and Barring Service (DBS) checks for certain posts working with children or vulnerable adults.
- The Council's current policy regarding how regularly it completes DBS checks on staff differs across services. All relevant social services staff have a DBS check every three years but staff working in other parts of the Council, where the role requires a DBS check, only get a DBS check redone if they change job. The Education Department has taken the decision that when they open a new school all the staff at that school will have a new DBS check undertaken. Whilst the Council's current policy is compliant with national legislative requirements, we consider that the Council should review its current policy

around the regularity of DBS checks, to assess the risks of its current approach and determine if it needs to implement any changes.

- Prior to recruitment the manager of the service will undertake a risk assessment of a post to decide if it needs a DBS check to be undertaken. This process could be improved by officers completing a written risk assessment, recording the reasons for the decision around the level of DBS check required (or not) and keeping this information on the central HR file.
- The internal audit service undertakes checks to ensure compliance with DBS checks where relevant, for example: social service staff, school staff, passenger transport drivers, escorts and taxi drivers with school contracts. The internal audit service reports to relevant service managers on compliance. Where there are significant issues of concern these will also be reported to the Audit Committee. There have been a number of issues of noncompliance with DBS checks in schools. There is the potential for staff that have not had the required DBS checks to be employed in schools. With non-school staff recruitment the HR Department adds records to Vision (the Council's personnel, payroll and training database) so no one should be able to start with the organisation without a required DBS check in place. Because schools are putting their own records on Vision, and this system then notifies the payroll service, it is possible for someone to start and be paid without having a DBS check in place. Payroll will check that a person is registered with the Education Workforce Council prior to adding them to payroll system but not if they have a DBS check. The Council needs to look at possible changes to this current system to prevent staff being able to start working in schools without the necessary DBS checks in place.
- The corporate HR system does not hold volunteer records. Education volunteer records are held locally, and internal audit check them when they visit schools. There are other volunteers working in the Council, for example in libraries, theatres, friends of Margam and the youth service. For consistency, completeness, and to ensure appropriate corporate oversight of safeguarding information and to reduce risk, the Council should ensure that there is a single, centrally held, recruitment record for all those working or volunteering for the Council.

The Council provides some safeguarding training but has not assessed if it meets its needs and does not have a robust system for recording staff training

9 In reaching this conclusion we found that:

- The Council has identified some safeguarding training as mandatory for all staff, this includes:
 - Violence Against Women, Domestic Abuse and Sexual Violence;
 - workshops to raise awareness of Prevent;
 - Child sexual exploitation;
 - County Lines; and

- General Data Protection Regulations.
- For some services other safeguarding training is mandatory. For social services staff safeguarding training (levels 1 – 3) and training in child protection is mandatory. Staff working in the youth service are also required to have safeguarding training. In schools all staff are expected to have annual training on safeguarding and child protection. Other staff we spoke to were unclear what training was mandatory.
- The Council needs to consider whether the training that is being provided on safeguarding is meeting its needs.
- There is no reliable, central record of training undertaken so there is no corporate oversight of compliance with training requirements. Training records for staff who have undertaken safeguarding training should be captured on the HR database but the Council acknowledges that the information held on the system currently is not complete or up to date.

The Council could strengthen safeguarding within its procurement and contract management arrangements

10 In reaching this conclusion we found that:

- The Council is currently updating its contract procedure rules which have been in place since 1998. As part of this work the Council is looking to strengthen the role of the contract manager in the process. Currently there is no corporate contract register. Safeguarding is referenced in the tender preparation stage and safeguarding qualification questions can be selected for a contract. Safeguarding is also listed on the Procurement Procedure and Contract Management Checklists, however, we consider that opportunities exist to strengthen consideration of safeguarding in the review of contract management arrangements. This might include contract managers and staff advising on procurement having training in safeguarding matters both for commissioning/procuring services and for ongoing contract management. Currently the central procurement team do not receive specific training in safeguarding matters pertinent to procurement and contract management. The Council should review its procurement practices to ensure that safeguarding matters are fully considered and managed when services are delivered on its behalf by third parties.
- Some services are being proactive with contract management for example a new monitoring officer role has been established in the Passenger Transport Unit to increase the number of checks that the Council can undertake on those contracted to transport children and young people to schools.
- The procurement team is currently not represented on the corporate safeguarding group.

The Council considers performance information on safeguarding but needs a system for monitoring, evaluating and reporting its corporate arrangements for safeguarding

11 In reaching this conclusion we found that:

- We were told that safeguarding matters are a standard item on Corporate Directors' Group (CDG) agenda and that CDG also receive the minutes from the Corporate Safeguarding Group.
- Elected Members receive a number of reports that are pertinent to safeguarding, including:
 - The Audit Committee receive internal audit reports where issues of concern get raised, including noncompliance with disclosure and barring service checks.
 - The Education, Skills and Culture Cabinet Board received an update report at their meeting on 17 January 2019 on safeguarding activities in schools and the education directorate over the last year and plans for the coming 18 months. The report identified areas for development and sets out the actions that are proposed to further strengthen arrangements.
 - The Director of Social Services produces an annual report that includes a review of safeguarding matters in the Social Services, Health and Housing Directorate.
 - There is an annual report on corporate parenting.
- The Corporate Safeguarding Policy states that an annual corporate safeguarding report for scrutiny will be delivered. However, this is not being done. Under the Corporate Safeguarding Policy each service director should compile a report in respect of their safeguarding arrangements that will inform the Director of Social Services Annual Report. This is currently not happening, so there is no overall assessment of how well the Council is corporately managing safeguarding.
- The Council reports performance information in relation to safeguarding including information produced by social services and education and information included in the corporate plan key performance indicators. However, the Council should consider whether a suite of performance measures developed specifically to assess the effectiveness of its corporate arrangements for safeguarding might help strengthen scrutiny and oversight in this area. For example, the Council could use the areas identified in the Auditor General's report, **Review of Corporate Safeguarding Arrangements in Welsh Councils**, which included:
 - conclusions of internal and external audit/inspection reviews;
 - service-based performance data;
 - key personnel data such as safeguarding training, and DBS recruitment checks; and
 - the performance of contractors and commissioned services on compliance with council safeguarding responsibilities.

Appendix 1

Wales Audit Office assessment of Neath Port Talbot Council's progress against the recommendations contained in the report of the Auditor General, 'Review of Corporate Safeguarding Arrangements in Welsh Councils' (July 2015)

Exhibit 2: progress against the recommendations contained in the national report

Recommendations from the national report	Wales Audit Office assessment of Neath Port Talbot Council's progress against the recommendations contained in the national report
<p>R1 Improve corporate leadership and comply with Welsh Government policy on safeguarding through:</p> <ul style="list-style-type: none"> • the appointment of a senior lead officer who is accountable for safeguarding and protecting children and young people with corporate responsibilities for planning improvements; • the appointment of a lead member for safeguarding; and • regularly disseminating and updating information on these appointments to all staff and stakeholders. 	<p>The Council has appointed a senior lead officer and lead member for safeguarding and these are detailed in the Corporate Safeguarding Policy which is available on the Council's intranet site. (See paragraph 6 and the proposals for improvement)</p>
<p>R2 Ensure there is a corporate-wide policy on safeguarding covering all council services to provide a clear strategic direction and clear lines of accountability across the Council.</p>	<p>The Council has a corporate safeguarding policy but needs to make its governance arrangements for safeguarding clearer. (See paragraph 6 and the proposals for improvement)</p>
<p>R3 Strengthen safe recruitment of staff and volunteers by:</p> <ul style="list-style-type: none"> • ensuring that DBS checks and compliance with safe recruitment policies cover all services that come into contact with children; • creating an integrated corporate compliance system to record and monitor compliance levels on DBS checks; and • requiring safe recruitment practices amongst partners in the third sector and for volunteers who provide services commissioned and/or used by the council which are underpinned by a contract or service level agreement. 	<p>The Council's systems for safe recruitment provide some assurance but these need to be strengthened. (See paragraph 8 and the proposals for improvement)</p>

Recommendations from the national report	Wales Audit Office assessment of Neath Port Talbot Council's progress against the recommendations contained in the national report
<p>R4 Ensure all relevant staff, members and partners understand their safeguarding responsibilities by:</p> <ul style="list-style-type: none"> • ensuring safeguarding training is mandated and coverage extended to all relevant council service areas, and is included as standard on induction programmes; • creating a corporate-wide system to identify, track and monitor compliance on attending safeguarding training in all council departments, elected members, schools, governors and volunteers; and • requiring relevant staff in partner organisations who are commissioned to work for the Council in delivering services to children and young people to undertake safeguarding training. 	<p>The Council provides some safeguarding training but has not assessed whether this meets its needs and does not have a robust system for recording staff training. (See paragraph 9 and the proposals for improvement)</p>
<p>R6⁵ Improve accountability for corporate safeguarding by regularly reporting safeguarding issues and assurances to scrutiny committee(s) against a balanced and Council-wide set of performance information covering:</p> <ul style="list-style-type: none"> • benchmarking and comparisons with others; • conclusions of internal and external audit/inspection reviews; • service-based performance data; • key personnel data such as safeguarding training, and DBS recruitment checks; and • the performance of contractors and commissioned services on compliance with council safeguarding responsibilities. 	<p>The Council considers performance information on safeguarding but needs a system for monitoring, evaluating and reporting its corporate arrangements for safeguarding. (See paragraph 11 and the proposals for improvement)</p>
<p>R7 Establish a rolling programme of internal audit reviews to undertake systems testing and compliance reviews on the Council's safeguarding practices.</p>	<p>Internal Audit reports that safeguarding matters are considered in the reviews it undertakes. It also produces regular reports on specific safeguarding matters i.e. compliance with DBS checks.</p>
<p>R8 Ensure the risks associated with safeguarding are considered at both a corporate and service level in developing and agreeing risk management plans across the Council.</p>	<p>The Council has identified safeguarding as a strategic risk, but Audit Committee's oversight of the risk register is weak. (See paragraph 7 and the proposals for improvement)</p>

⁵ Recommendation 5 was directed to the Welsh Government rather than councils so is not included in the above list.

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