



Committee: PERSONNEL COMMITTEE

Date: TUESDAY, 31 JANUARY 2017

Venue: LANCASTER TOWN HALL

Time: 6.10 P.M., OR AT THE RISE OF JCC, WHICHEVER IS THE LATER

A G E N D A

1. **Apologies for absence**

2. **Minutes**

Minutes of meetings held on 11th May 2016 and 21st June 2016 (previously circulated).

3. **Declarations of Interest**

To receive declarations by Members of interests in respect of items on this Agenda.

Members are reminded that, in accordance with the Localism Act 2011, they are required to declare any disclosable pecuniary interests which have not already been declared in the Council's Register of Interests. (It is a criminal offence not to declare a disclosable pecuniary interest either in the Register or at the meeting).

Whilst not a legal requirement, in accordance with Council Procedure Rule 9 and in the interests of clarity and transparency, Members should declare any disclosable pecuniary interests which they have already declared in the Register, at this point in the meeting.

In accordance with Part B Section 2 of the Code Of Conduct, Members are required to declare the existence and nature of any other interests as defined in paragraphs 8(1) or 9(2) of the Code of Conduct.

4. **Items of urgent business authorised by the Chairman**

5. **HR Policy Development and Review (Pages 1 - 75)**

Report of the HR Service Manager

6. **Appointment to the Joint Consultative Committee on Health and Safety**

To appoint a member of the Personnel Committee to the Joint Consultative Committee on Health and Safety.

ADMINISTRATIVE ARRANGEMENTS

(i) Membership

Councillors Lucy Atkinson (Chairman), Caroline Jackson (Vice-Chairman), Eileen Blamire, Ronnie Kershaw, Jane Parkinson, Margaret Pattison and Sylvia Rogerson

(ii) Substitute Membership

Councillors Carla Brayshaw (Substitute), Andrew Gardiner (Substitute), Abi Mills (Substitute), David Whitaker (Substitute) and Phillippa Williamson (Substitute)

(iii) Queries regarding this Agenda

Please contact Stephen Metcalfe, Democratic Services - telephone 01524 582073, or e-mail sjmetcalfe@lancaster.gov.uk.

(iv) Changes to Membership, substitutions or apologies

Please contact Democratic Support, telephone 582170, or alternatively email democraticsupport@lancaster.gov.uk.

SUSAN PARSONAGE,
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Published on Monday, 23rd January, 2017.

PERSONNEL COMMITTEE**HR POLICY DEVELOPMENT AND REVIEW****31 January 2017****Report of the HR Service Manager****PURPOSE OF REPORT**

To enable the Committee to consider and approve a number of Human Resources Policies and Procedures.

This report is public.

RECOMMENDATIONS

(1) That subject to any further recommendation being brought to the Committee from the Joint Consultative Committee, which meets on 31 January 2017 prior to this meeting, the Committee approve:

1. Standby and Callout Policy (revised document) effective from 1 April 2017
2. Dignity at Work Policy and Procedure – formally Preventing Harassment at Work (revised document)
3. Substance Misuse Policy and Procedure (revised document)
4. Safeguarding Children and Young People Policy (revised document)
5. Safeguarding Adults Policy (revised document)

(2) That in view of the financial implications of 1. above (Standby and Callout Policy), implementation be subject to relevant approval through the budget process, with the financial implications being referred on to Cabinet initially, for consideration as part of its budget proposals.

(3) Subject to the approval of the Dignity at Work Policy and Procedure and the proposed introduction of a modified two stage Grievance and Disputes Procedure to resolve formal complaints of harassment, bullying or victimisation, a relevant amendment be made to the existing Council's Grievance and Disputes Procedure.

1.0 Introduction

- 1.1 From time to time the Council will develop procedures to support the management of workforce related matters.
- 1.2 The recognised trade unions have been consulted on the appended draft policies, which will be discussed at the Joint Consultative Committee (JCC) meeting on 31 January 2017, prior to the meeting of this Committee. Should there be any amendments proposed by the JCC, these will be presented to this Committee for its consideration. In the event of any substantial changes to a Policy being proposed at the JCC meeting and /or further consultation being required, it may be necessary to defer consideration to a future meeting of the Personnel Committee.

2.0 Standby and Callout Policy

- 2.1 The Standby, Callout and Overtime Policy has been revised and renamed the Standby and Callout Policy. Rules around overtime are contained within the NJC Terms and Conditions. Consultation over the changes to Standby and Callout arrangements has taken place with both the Trade Unions and employees.

Summary of main points

- 2.2 It is proposed to introduce a single weekly Standby rate for all employees from 1 April 2017. This recognises that time spent on standby is of equal value to all Council employees.
- 2.3 It is proposed to introduce a new 'Callout payment', which will no longer be capped at Scale Point 28. Instead employees when called out will be paid in line with their existing hourly rate, if above Scale Point 28.
- 2.4 The 'Callout payment' is distinct to normal overtime arrangements and provides for part time employees to receive the same rates as full time employees if called out to work outside normal working hours.

3.0 Dignity at Work Policy

- 3.1 The Preventing Harassment at Work Policy has been in place since 1998. The Policy has been completely revised and has been renamed the Dignity at Work Policy. Whilst harassment and bullying are still the primary focus of the policy the change in title better reflects the Council's aim that all staff should be treated with dignity and respect.

Summary of main points

- 3.2 Section 5 – Provides information on the responsibilities of all those who may be responsible for preventing harassment and bullying and who may become involved in responding to a complaint or act of inappropriate behaviour.
- 3.3 Section 8 – Proposes the use of the Council's Grievance and Disputes Policy as a modified 2 stage procedure, as a means of formally seeking to resolve any complaints of harassment or bullying, thereby ensuring that the complaint is dealt with in a timely manner and via the use of a well-established and clear procedure.

4.0 Substance Abuse Policy and Procedure

- 4.1 The existing Substance Misuse Policy had been in existence since 2006. At JCC in February 2016 the HR & OD Manager presented an example of a draft policy, which was in use by other local authorities. Both JCC and Personnel Committee requested that, in consultation with Trade Unions, further work was carried out on the draft policy and that it be considered at a future JCC and Personnel Committee.

Discussion has taken place with the Trade Unions and a revised Substance Misuse Policy has been prepared for consideration by JCC. A final draft policy has now been revised in conjunction with the recognised Trade Unions.

Summary of main points

- 4.2 Section 4 – Details a clear commitment from the Council to support those employees who have a substance misuse problem.

4.3 Section 7 – Introduces guidance on how to respond to an issue when an employee appears to be unfit for work potentially due to substance misuse. The policy is written to provide flexibility in how a manager should respond to any such an instance, bearing in mind the first consideration of the manager needs to be the safety of the employee, their colleagues and members of the public. Each case is likely to be different and this approach provides a framework for managers to respond appropriately, should they come across an instance where an employee appears unfit to work due to substance misuse.

5.0 Safeguarding Children and Young People Policy

The Safeguarding Children and Young People Policy has been updated to ensure that it remains accurate and relevant to current practice.

6.0 Safeguarding Adults Policy

The Safeguarding Adults Policy has been updated to ensure that it remains accurate and relevant to current practice.

7.0 Options

7.1 The options available to the Committee in respect of each Policy are to approve the appended document as drafted, to approve the document with amendments, or not to approve the document. However, if substantial changes in respect of any Policy are proposed at the Personnel Committee meeting, it may be appropriate for consideration of that Policy to be deferred to a future meeting to enable Officers to consider the proposed amendment in more detail and to consult further with the trade unions.

8.0 Conclusions

8.1 Members are asked to consider and accept the Officer recommendations set out above in respect of the draft policies appended to this report.

RELATIONSHIP TO POLICY FRAMEWORK

The Council is committed to good standards of employment practice, and it is considered that the amended and new policies will augment our existing Human Resource Management arrangements.

CONCLUSION OF IMPACT ASSESSMENT

(including Diversity, Human Rights, Community Safety, Sustainability and Rural Proofing)

Please see associated Equality Impact Assessment in respect of each of the above policies.

FINANCIAL IMPLICATIONS

Based on existing levels of standby provision, the introduction of a weekly rate for all employees from 1 April 2017 has been appraised and the financial impact is shown in the following table :-

Fund	2017/18 Draft Budget	2017/18 Proposal	Cost / (Saving)
General Fund	£52,700	£72,700	£20,000
Housing Revenue Account	£40,900	£25,300	(£15,600)
TOTAL	£93,600	£98,000	£4,400

It is planned that a comprehensive review of the levels and instances where standby is required will seek to address the above, to negate or minimise the budgetary impact for General Fund. At this stage, however, there is no certainty regarding its outcome and therefore implementation of the policy would need to be subject to the inclusion and approval of the estimated financial implications through the budget process (culminating at Budget Council on 01 March). Assuming the budget is updated and the policy implemented as planned, progress will be monitored through the usual corporate monitoring arrangements.

With regard callout payments, the removal of capping at SCP28 is expected to cost approximately £700 per annum which will also be considered and addressed through the planned standby review.

There are no direct financial implications arising from the other appended policies adhered to in this report.

SECTION 151 OFFICER'S COMMENTS

The s151 Officer has been consulted and her advice reflected in the report. With regard to the standby and callout policy, Members should satisfy themselves that the proposals reflect value for money.

LEGAL IMPLICATIONS

All the appended policies are compliant with employment legislation and there are no further legal implications directly arising from this report.

MONITORING OFFICER'S COMMENTS

The interim Legal Services Manager has been consulted and has no further comments.

BACKGROUND PAPERS

None.

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Promoting City, Coast & Countryside

Standby and Callout Policy

1.0 Scope

These arrangements apply to all Council staff covered by NJC terms and conditions (Green Book). The Chief Executive and Chief Officers are excluded from these provisions.

2.0 Standby

2.1 Definition

Where an employee is required to be available to be called out or called upon to undertake specific work activities that cannot be carried out in normal operating hours, a Standby payment will be made for the duration of the period that they are required to be available to be called out or called upon. Additional payments will be made if the employee is actually called upon to undertake work as part of that Standby arrangement (see 'Callout' or 'Home-based Callout')

2.2 Arrangements

An employee on Standby is required to be contactable and is required to be fit to travel and carry out their duties throughout the duration of the standby period. If an employee becomes unable to undertake the duties during a period of Standby, a pro-rata deduction should be made for the period in question.

Senior Service Managers will be responsible for deciding which employees should be included on a Standby rota in liaison with operational managers. In reaching a decision about cover for Standby and callout duty, Senior Service Managers should consider service and business needs and the resources available to them for providing cover. Whilst Senior Service Managers hold the ultimate responsibility, the operational planning may be undertaken by other nominated staff within the service unit.

In respect of the Council's Emergency Planning procedures, it will be the responsibility of the Civil Contingencies Officer or representative to ensure that adequate cover is available and sufficient numbers of appropriate staff are on standby as deemed necessary.

2.3 System of Standby payments

In order to recognise that time spent on Standby is of equal value to all employees in terms of disruption to their lives outside work, a standard rate will be paid to all employees required to be on Standby.

Please see Appendix A for details of current payment rates. The Standby rate is not linked to a specific spinal column point and will therefore not automatically increase in line with any pay awards. However it will be subject to periodic review.

2.4 Bank Holiday Standby duty

The rate for Standby duty during Bank Holidays will be the same as for other working days. Employees who are required to be on Standby to cover a Bank Holiday, but are not called out to work, will however be granted a lieu day in recognition of the disruption caused by being on Standby for the duration of a public holiday

Employees who are on Standby and are 'called out' to work during a Bank Holiday will be paid a 'Callout payment' which at double time in line with the arrangements below.

3.0 Callout

3.1 Definition

Callout is where an employee is called out to undertake work while on Standby and involves the person physically attending an incident or place of work.

3.2 Callout Payments

The 'Callout payment' will be paid to staff on Standby who are required to physically attend an incident or place of work.

The 'Callout payment' will not be capped at SCP 28 and will therefore be a separate and distinct arrangement from existing overtime arrangements. Instead 'Callout payments' will be paid in line with the employee's existing hourly rate. As 'Callout payments' will be linked to the employees hourly rate of pay they will automatically increase in line with any cost of living rises.

Employees will receive a 'Callout payment' at the following rates:

Monday – Saturday = time and a half

Monday – Saturday (midnight – 6.00am) = double time

Sunday = double time

Bank Holiday = double time

The above arrangements applies to all Green Book staff irrespective of their grade.

A minimum of 2 hours' 'Callout payment' will be made for any Callout, regardless of whether the Callout takes less than 2 hours to complete. However, multiple Callouts within a 2 hour period will only generate one minimum 2 hour payment with any excess over the 2 hours being paid based on the additional time spent on the Callout.

3.0 Home-Based Callout

3.1 Definition

When an employee is called upon to undertake work while on Standby, which does not involve them physically attending their place of work or an incident, but can be carried out from home (e.g. by telephone)

3.2 System of home-based ‘Callout’ payments

If an employee on Standby is required to undertake home-based call-out duties, 3 or more calls per ‘shift’, will trigger a minimum ‘Callout payment’ of two hours.

During the working week a ‘shift’ is the period from the end of one working day to the start of the next working day. Over a weekend a shift would normally consist of the 24 hours covering either Saturday or Sunday.

If an employee on Standby is required to undertake one home-based call-out, which exceeds 30 minutes, they will be remunerated in accordance with usual Callout arrangements i.e. for a minimum of two hours work. In some complex cases, a telephone call may just be part of an ongoing series of calls with short breaks, in these cases the overall time spent working on the issue would count as callout time and would be paid accordingly.

4.0 Working arrangements

Senior Service Managers in liaison with operational managers are responsible for ensuring that employees on Callout do not work excessive hours, which would breach Health and Safety legislation and Working Time Regulations. This is particularly important for employees whose duties involve driving vehicles. Human Resources can provide guidance to managers with regard to limits on working time.

Managers will also be responsible for arrangements in respect of employees who work for long periods outside the normal working day and are then required to attend for a standard shift. Managers should ensure that employees are protected from the possible effects of extreme tiredness or fatigue.

Managers should ensure that there are sufficient staff on Standby and Callout rotas to ensure that the same individuals are not repeatedly relied upon to undertake these duties. Standby and Callout rotas should therefore be periodically reviewed within service units to ensure that they are sustainable.

5.0 Review

This policy will be reviewed two years after implementation or earlier in the event of further changes in legislation.

Document Control:

Version No.	Effective date	Reason	Review due
1.0	01.09.2004	New Policy	
2.0	01.04.2010	Policy Revised following Fair Pay Implementation	
3.0	31.01.2017	Revised Policy to be agreed by JCC & Personnel Committee	31.01.2019

Appendix A – Payment rates

Standby

Weekly Rate	£160.00*
Day Rate	£22.8571

*Subject to periodic review

'Callout payment' rates

	Monday-Saturday	Monday-Saturday 12am-6am	Sunday - all day	Bank Holidays – all day (plus a lieu day)
Rate	Time and a half	Double	Double	Double



Dignity at Work Policy and Procedure

1.0 Scope

This policy applies to all employees and casual workers at Lancaster City Council, whilst in the workplace, and in any work-related setting outside of the workplace, e.g., on business trips and at work-related social events.

2.0 Introduction

- 2.1 Everyone has the right to be treated with dignity at work. The Council is committed to creating a work environment free of harassment and bullying, where everyone is treated with dignity and respect.
- 2.2 Harassment and bullying in any form is considered to be unacceptable behaviour and will not be permitted or condoned. The purpose of this policy is to support a working environment in which harassment and bullying is unacceptable.
- 2.3 Where harassment or bullying is tolerated research demonstrates that this leads to higher turnover, higher sickness absence, lower motivation and under performance. Therefore in addition to the moral imperatives not to tolerate harassment or bullying, there are also good business reasons not to tolerate bullying or harassment. It is therefore important that the content of this policy is complied with.
- 2.4 This document should be read in conjunction with the Council's Equality and Diversity Policy, available on Elsie or via line managers (where individuals do not have access to the intranet).

3. Principles

- 3.1 The Council recognises that all employees have the right to be treated with dignity and respect. This policy promotes the respectful treatment of staff within the Council and the protection of employees from harassment and bullying at work. Harassment and bullying will not be tolerated by the Council in any form.
- 3.2 Each member of staff is responsible for their own behaviour in relation to this policy, as well as being responsible for ensuring that their conduct is in line with the standards set out in this policy and the Code of Conduct. Staff should report any incidents of bullying and harassment that they may be aware of to a member of management, the HR Team, or a trade union representative.
- 3.3 Allegations raised regarding bullying and harassment will be taken seriously and treated confidentially. The Council will make every effort to protect employees against victimisation after raising a concern under this policy or against employees who assist or support a colleague in raising a concern.

3.4 Harassment and bullying may be treated as a disciplinary offence and, where allegations are founded, may lead to summary dismissal. Disciplinary action may also be taken if a complaint is found to have been submitted maliciously or in bad faith.

4. **Harassment, Bullying and Victimisation**

4.1 **Harassment** is defined by The Equality Act 2010 as “unwanted conduct related to a relevant protected characteristic, which has the purpose or effect of violating an individual’s dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual”.

4.2 The relevant protected characteristics are age, disability, gender reassignment, race, religion or belief, sex and sexual orientation.

4.3 In addition the individual raising the concern need not possess the relevant characteristic themselves. Instead, it could be due to their association with a person who has one of the protected characteristics, or as a result of being ‘perceived’ to have that characteristic.

4.4 Harassment applies to all protected characteristics apart from pregnancy and maternity where any unfavourable treatment may amount to discrimination, and marriage and civil partnership where no significant evidence is required.

4.5 Harassment may also be a civil offence, a criminal offence and may contravene health and safety legislation. Individuals could therefore be liable to personally pay unlimited compensation where discrimination based harassment has occurred, including payment of compensation for injury to feelings and/or be prosecuted. Organisations may be considered vicariously liable for any incidents of harassment by an employee.

4.6 **Bullying** is defined by ACAS as “offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means that undermine, humiliate, denigrate or injure the recipient”.

4.7 Harassment and bullying may be against one person or a group of people, and may involve single or repeated incidents ranging from obvious forms of intimidating behaviour to more subtle forms such as ignoring someone. It can take physical form, be verbal or non-verbal, e.g., by letter or email. It can occur in the workplace or at work related events. Examples could include:

- Unwanted physical contact;
- Demeaning comments about a person’s appearance;
- Unwelcome remarks about a person linked to the protected characteristics, including jokes and banter;
- Posters, graffiti, obscene gestures, flags, bunting and emblems;
- Isolation or non-cooperation and exclusion from social activities, meetings, etc.;
- Coercion for sexual favours;
- Pressure to participate in political/religious groups;
- Shouting or swearing at people in public, and in private;
- Persistent criticism, undervaluing effort or constant insults;
- Cyber-bullying, e.g., detrimental text messages or emails, images and comments posted on external websites such as blogs and social networking sites;
- Ignoring or deliberately excluding people, e.g., from meetings, emails;
- Persecution through threats and instilling fear;
- Spreading malicious rumours.

4.8 **Victimisation** is where a person is subject to a detriment as a result of them complaining that they, or someone else, have suffered harassment or bullying, or where they have supported someone else in making a complaint. Provided the complaint has been made in good faith, i.e., a genuine belief that it is true, individuals have a right not to be victimised for being linked with a complaint that has been made. Where victimisation is proven to have occurred, disciplinary action may be taken against anyone to have undertaken any form of victimisation towards an individual.

4.9 Conduct may be considered as harassment whether or not the person behaving in that way intended to offend. Different people find different things acceptable. Everyone has the right to decide what behaviour is acceptable to him/her and to have his/her feelings respected by others.

5. **Responsibilities**

5.1 **Employees' Responsibilities**

5.1.1 All employees have a responsibility to ensure the working environment is one where the dignity of all individuals is respected.

5.1.2 Employees should be aware of the Council's policy, and comply with it.

5.1.3 Employees should ensure their behaviour does not cause offence and could not be considered in any way to be bullying or harassment.

5.1.4 Employees should discourage such behaviour by making it clear that they find such behaviour by others unacceptable and by supporting colleagues who are considering raising a concern. They should alert a manager to any incident of bullying or harassment to enable the Council to deal with the issue promptly and as required.

5.2 **Management Responsibilities**

5.2.1 Managers should set a positive example by treating everyone with dignity and respect at all times.

5.2.2 All levels of management have a duty to implement this policy and to make every effort to ensure that harassment and bullying does not occur.

5.2.3 Managers have responsibility for being alert to any unacceptable behaviour, or incidents of bullying or harassment and take appropriate action promptly and confidentially, consulting with HR in all cases.

5.2.4 Managers should communicate this policy with their staff and promote awareness of bullying and harassment and the procedure the Council will adopt to investigate any complaints, including making sure staff know how to raise a complaint if needed.

5.2.5 Managers should be responsive and supportive to any member of staff who makes an allegation of bullying, harassment or victimisation. Managers should also ensure full support to the alleged perpetrator throughout the process.

5.3 **HR Responsibilities**

5.3.1 The HR Team have a responsibility to ensure this policy is followed fairly and consistently, which includes:

- Advising on the content and application of the policy and on incidences where individuals feel they are being harassed or bullied in employment;
- Providing support and guidance to managers and employees, as appropriate;
- Ensuring the effective implementation of the policy, including provision of relevant training;
- Monitoring incidences of bullying or harassment and initiating appropriate action;
- Reviewing and amending the policy as necessary.

6. Support and Advice

6.1 The Council is committed to achieving informal resolution of complaints relating to harassment wherever possible. In line with this approach, there are options available to staff to be supported:

- Occupational Health Service;
- Access to an external and confidential counselling service;
- Trade unions, where members may access advice and support;
- Mediation, either by a member of the HR Team or an external mediator;

7. Informal Procedure for Investigating Complaints

7.1 The Council fully recognises the right to raise a concern about bullying or harassment should it occur. All concerns raised will be dealt with seriously, promptly and confidentially.

7.2 Employees are encouraged to attempt to resolve any concerns informally where possible, in line with the arrangements in the Council's Grievance and Disputes Procedure. In addition employees can consider the following options:

- Discussing any concerns regarding harassment or bullying with a manager, a member of the HR Team, a trade union representative, or occupational health;
- Keeping a diary of all incidents, recording dates, times, any witnesses, how the actions made them feel, etc.
- Keeping copies of any documentation that may be relevant, such as reports, letters, emails, meeting notes, etc.
- Explaining directly to the harasser or bully the effect that their behaviour is having and that they want it to stop;
- Making it clear that if the behaviour continues, they will make a formal complaint;
- Walking away from any aggressive behaviour, making it clear that they do not want to be treated in that way.
- Writing to the individual stating how their behaviour and actions are making them feel and request that it stops, if they do not feel able to speak to the perpetrator.

7.3 Contractors, visitors and Elected Members of the Council should raise any concerns to their main point of contact within the Council, and action will be taken as deemed relevant.

8. Formal Procedure

8.1 If informal attempts at resolving the situation have not been successful, or the employee does not feel that the informal process will have any effect, the issue may be raised on a formal basis, via the Council's Grievance and Disputes Procedure. A modified two stage procedure will apply.

- 8.2 In such cases, the Council’s Grievance and Disputes Procedure is modified in that the individual may raise their concern with either a line manager or the HR Team in cases where this is deemed more appropriate.
- 8.3 In line with the Grievance and Disputes Procedure, the relevant manager will make a decision whether it is appropriate to conduct a formal investigation by an independent person. Advice should be sought from HR before any action is taken.
- 8.4 During any investigation, evidence will be sought from witnesses, and the Investigating Officer will listen to the version of events from both the complainant and the alleged harasser/bully. Both parties will be supported through the investigation. Timescales will be in line with the Grievance and Disputes Procedure.
- 8.5 If, following the investigation, evidence shows that harassment or bullying has taken place, appropriate action in line with the Council’s Disciplinary Policy and Procedure may be taken. This may also apply in cases where the complainant’s behaviour is deemed to be malicious.
- 8.6 The Council will aim to have completed the investigation, including any hearings, within the timescales as detailed within the Grievance and Disputes Procedure.

9. Follow Up

- 9.1 Following resolution via either the informal or formal process, a record will be kept of the incident.
- 9.2 It is important to monitor the situation on a regular basis and ensure that harassment of bullying has stopped and there has been no subsequent issue of victimisation.

10 Confidentiality

- 10.1 All parties involved with any investigation, and any subsequent action, are expected to maintain confidentiality at all times.
- 10.2 Any breach in confidentiality may lead to disciplinary action.

11. Review

- 11.1 This Dignity at Work Policy will be reviewed two years after implementation or earlier in the event of further changes in legislation.

Document Control:

Version no.	Effective Date	Reason	Review due
1.0	01.10.1998	New policy – Preventing Harassment at Work	
2.0	31.01.2017	Revised & renamed policy to be considered and approved by JCC & Personnel Committee.	31.01.2019



Substance Misuse Policy and Procedure

1. Scope

- 1.1 This policy applies to all Council employees and contractors visiting the Council. It covers the misuse of substances in the workplace and the effects of such use, possession and/or dependency or addiction in the workplace.
- 1.2 In addition, this document sets out the rules to ensure that staff attend work free from the effects of alcohol or other substances.

2. Introduction

- 2.1 The Council is committed to ensuring the health, safety and welfare of its employees and recognises the risks that may result from the misuse of substances.
- 2.2 In line with the Health and Safety at Work Act 1974, if an employer knowingly allowed an employee under the influence of alcohol or drugs to continue working and this placed the employee or others at risk, the employer could be liable to charges. Employees are also required to take reasonable care of themselves and others who could be affected by what they do. They, too, could be liable to charges if their alcohol consumption or drug taking puts safety at risk.
- 2.3 Alcohol and substance misuse is detrimental for the safety and wellbeing of staff, as well as the wider public, as it reduces work performance. The Council acknowledges that it can also:
 - Lead to gross misconduct and threaten the reputation of the Council;
 - Adversely affect professional relationships;
 - Increase levels of sickness absence;
 - Reduce productivity;
- 2.4 The Council also accepts that substance misuse may be related to dependency and/or addiction, which has the potential for serious consequences on an employee's health and wellbeing. The Council is therefore committed to ensuring that employees suffering from substance misuse are responded to in a supportive and understanding manner.

3. Guidelines

- 3.1 **Fitness for work** – employees must always attend for work in a fit and appropriate state with no impairment from the effects of any substance. Failure to attend for work in a fit state is likely to be treated as gross misconduct and lead to dismissal, as per the Council's Disciplinary Policy and Procedure.
- 3.2 **Consumption of substances during the working day** - employees should not consume alcohol or use other substances whilst at work. This includes drinking during breaks and lunchtimes as, even in small quantities, alcohol affects reflexes, response times and judgement, which has the potential to impact on performance and safety.

There will be some very exceptional occasions where consumption of alcohol will be permitted during the working day, i.e., only on festive occasions, such as Mayor Making, which have been approved by the Council or authorised by a Chief Officer.

- 3.3 **Consumption of substances outside of the working day** - All staff should be aware of the time that substances remain effective in their system. Employees should be sure that, when they report for work, they are not under the influence of any substance. They should also ensure that when consuming alcohol in public places, they are not identifiable as an employee of the Council in any way, for example identification badges, uniforms, ties and vehicles. Employees should always be mindful of their responsibilities under the Council's Code of Conduct.
- 3.4 **Use of prescription and over the counter medications** - Employees should be mindful that the use of prescribed medication at work may impact on their ability to effectively undertake their duties.

Employees taking prescription or over-the-counter medications which are likely to affect their performance or safety at work (e.g. medication labelled "May cause drowsiness – if affected do not drive or operate machinery" to which they are susceptible) must bring this to the attention of their manager immediately and before commencing work. Where there is any potential hazard they should be transferred to alternative work until advice has been sought in consultation with HR.

4. The Council's Commitment

- 4.1 Upon being made aware, the Council will support employees who are misusing a substance or consider themselves at risk of misusing a substance by:
- Responding appropriately to any employee who discloses that they are misusing a substance or consider themselves at risk of abusing a substance.
 - Discussing with the employee how the Council can provide assistance, including access to existing provisions, such as Occupational Health and counselling.
 - Offering temporary or permanent changes to working times and patterns, if organisationally possible and if the change would benefit the employee.
 - Offering access to the full provision of leave types for appointments; including those with doctors or counsellors.
- 4.2 These commitments are made without prejudice to the Council's right to take disciplinary action against an individual for misconduct in respect of a serious substance misuse incident

5. Advice for Employees

- 5.1 Employees must make sure they bring any misuse problems to the attention of their manager and/or HR so that appropriate support can be given in the workplace, and a referral to Occupation Health organised.
- 5.2 Employees are also encouraged to seek specialist help and advice available from their GP or local agencies, details of which can be found at Appendix A.
- 5.3 Employees who suspect or know that a colleague has a problem with substance misuse should encourage the colleague to seek help and, as appropriate, raise their concerns with their manager.

- 5.4 If for any reason an employee feels that they cannot raise the issue with their line manager they should raise it with their HR Partner. However, it will be necessary for HR to make the employees line manager aware of the issue so that appropriate support can be given in the workplace.

6. Advice for Managers

- 6.1 Individuals with a substance misuse problem, may hide the issue and may be unwilling to acknowledge that there is a problem.
- 6.2 A manager who has evidence of an employee who potentially has a misuse problem, which is affecting their work performance or attendance should address this as soon as it becomes known. Whilst each case will be different it will normally be appropriate to follow the general approach below:
- Discuss this issue with the employee, seeking advice or support from HR;
 - Discuss any job and workplace issues;
 - Refer the employee to Occupational Health for assessment and further guidance;
 - Signpost the employee to one or more of the local agencies in Appendix A;
 - Offer the employee confidential counselling;
 - Consider options for temporary changes to work arrangements;
 - Carry out regular reviews to monitor progress and agree further action. These should continue until both parties agree that it is no longer needed.
- 6.3 Ideally the employee should be able to continue in work, but if they do go off sick the normal procedure regarding sickness absence management will apply.
- 6.4 If, after making reasonable efforts to support the employee, help is declined or the employee fails to follow the agreed approach to resolving the concerns and the problems persist, then action may need to be taken in line with other relevant Council policies.
- 6.5 If the employee successfully responds to the supportive measures provided by the Council, but subsequently relapses, further assistance will normally be offered. Each case will be considered on its merits and there will be a point at which it is reasonable to decide that no further assistance can be offered and action may be taken in line with other relevant Council policies.

7. Responding to an employee who is unfit for work

- 7.1 Concern about an employee being under the influence of alcohol or another substance whilst at work may arise from a number of sources e.g., following an accident or incident, a report by a colleague or by direct observation by the line manager.
- 7.2 Whilst such situations are rare, however the manager is obliged to act promptly to respond to the situation.
- #### **7.3 Assessing the situation**
- 7.4 The manager must act promptly to deal with the situation by speaking with the employee to make them aware of their concern and to form an opinion as to whether they are under the influence of a substance.
- 7.5 The discussion with the employee should take place away from colleagues and the public, unless there is danger requiring immediate action. If possible, the manager should seek a second opinion, preferably from another manager/supervisor. When forming an opinion, relevant evidence to consider may include:
- the smell of alcohol or other substance

- facial flushing
- bloodshot eyes
- difficulty focusing
- lack of concentration
- slurred speech, hand tremors
- appearing unsteady
- erratic, aggressive or moody behaviour.

- 7.6 The manager must consider whether there could be other causes for any symptoms observed, such as the effects of chronic illnesses, prescription medication, recent shock, etc.
- 7.7 When considering fitness for work, the manager must have regard to safety issues, both of the employee, their colleagues and members of the public, as well as service delivery issues and the Council's reputation.
- 7.8 Where there is no underlying health issue, but it appears to the manager(s) that the employee is unfit for work, the manager may require the employee to return home until such time as they are fit to return to work. In such circumstances it is appropriate for the employee to use annual, flexi or unpaid leave to cover the absence. Where it is not clear why the employee is displaying concerning symptoms or behaviours, it will not normally be appropriate to take disciplinary action. The manager must discuss their concerns with the employee upon their return to work and record the details of the incident, seeking to ascertain with the employee the underlying cause for the behaviour. A referral to Occupational Health may be appropriate. Should a similar instance occur again then actions in line with 7.9 may be followed.
- 7.9 Where there is no underlying health issue and the manager(s) have a clear and reasonable belief that the employee is under the influence of alcohol or another substance and is therefore unfit for work, the behaviour may be considered to constitute misconduct. In such cases the employee may be sent home and consideration given to withdrawing pay for the period in question, subject to approval by the relevant Chief Officer. Disciplinary action may also be considered in line with Section 3.1.
- 7.10 However, where an employee is believed to have been under the influence of alcohol or other substance, the manager should make further reasonable enquiries of the employee on their return to work. Consideration should be given to the points outlined in Section 4 and Section 6 to aim to ascertain if the employee has a substance misuse problem and whether disciplinary action is appropriate.

8. Review

- 8.1 This Policy will be reviewed two years after implementation or earlier in the event of relevant further changes in legislation.

Document Control:

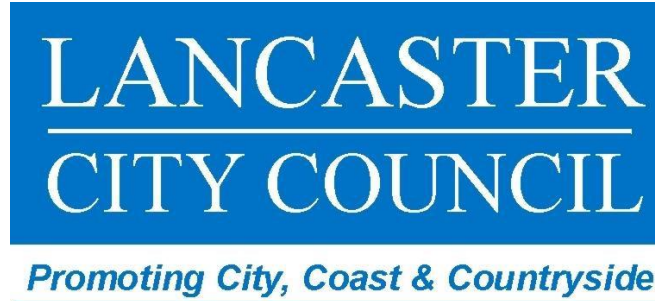
Version no.	Effective Date	Reason	Review due
1.0	30.07.2008	New policy	
2.0	31.01.2017	Revised policy for consideration & agreement by JCC and Personnel Committee	31.01.2019

Appendix A - Support Agencies

To assist managers and employees, the details of appropriate support agencies are listed below.

Support Services Available	
<p>Renaissance and Drugline Lancashire</p> <p>2 Union Court</p> <p>Union Street</p> <p>Preston PR1 2HD Tel 01772 253840 E-mail enquiries@druglinelancs.co.uk</p>	<p>Comprehensive drug service for drug users, their families, friends and workers.</p>
<p>Alcohol and Drugs Service</p> <p>8-9 Fox Street</p> <p>Preston</p> <p>PR1 2AB</p> <p>Tel 01772 561300</p>	<p>Counselling, information and advice for young people worried about their own alcohol use. Drug day-care support for abstinent clients and those not using illicit substances.</p>
<p>Alcoholics Anonymous (Great Britain)</p> <p>National helpline 0800 9177 650</p> <p>E-mail help@alcoholics-anonymous.org.uk</p> <p>Website www.alcoholics-anonymous.org.uk</p>	<p>Self-help groups for people who recognise they need to address their alcohol use. Various meetings in Lancaster, Morecambe and across Lancashire.</p>
<p>Inspire Lancaster</p> <p>North Lancashire Integrated Recovery Service</p> <p>24 Great John Street</p> <p>Lancaster</p> <p>North Lancashire</p> <p>LA1 1NG</p> <p>United Kingdom</p> <p>01524 388 493</p> <p>And</p> <p>Belfield House</p> <p>173 Euston Road</p> <p>Morecambe</p> <p>LA4 5LQ</p> <p>United Kingdom</p> <p>01524 834210</p> <p>Website: www.cri.org.uk</p>	<p>Advice on Drugs and Alcohol to help minimise drug and alcohol misuse where possible</p>
<p>Drinkline</p> <p>Helpline 0800 9178282</p> <p>Website www.drinkaware.co.uk</p>	<p>Advice to alcohol drinkers or anyone concerned about the drinker. Website includes database of local services.</p>

<p>Talk To Frank</p> <p>Tel 0800 776600</p> <p>Website www.talktofrank.com</p>	<p>Advice to drug users or anyone concerned about the drug user. Focus is on young people and concerned parents but help is available to adult drug users.</p>
<p>Narcotics Anonymous UK National Helpline 0300 9991212 Website www.ukna.org</p>	<p>Self-help groups for people who recognise the need to address their use of narcotics. Various meetings in Lancaster and across Lancashire.</p>
<p>Cocaine Anonymous Helpline 0800 6120225 Website www.cauk.org.uk</p>	<p>Self-help group specifically for cocaine users.</p>
<p>Adfam National</p> <p>Helpline 020 75537640 Website www.adfam.org.uk</p>	<p>Works with and on behalf of families affected by drug and alcohol problems.</p>
<p>General Practitioners, may also provide support or refer people to appropriate support services.</p>	



Safeguarding Children and Young People

Important!

If you're worried about a child please use the flowchart on the back page to decide the correct course of action

Version	2
Date	November 2016
Author	Craig Brown, Community Safety & Safeguarding Officer (ext. 2150)
Review	Agreed version to be reviewed in November 2017

Safeguarding Children & Young People Policy

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Our Commitment to Safeguarding

Lancaster City Council delivers a range of services and activities that impact on the lives of children both directly and indirectly. Safeguarding children, ensuring their welfare, safety and health is of paramount importance. We are committed to providing safe and supportive services that will give children the opportunities to achieve their full potential. This includes:

- Having commitment from senior managers and councillors to safeguarding
- Having a safe recruitment and selection process
- Ensuring that all relevant staff are DBS checked at the appropriate level
- Providing training at the appropriate levels for staff, volunteers and councillors
- Each service having a designated 'Safeguarding 'Lead' or 'Safeguarding Contact'
- Having information about our safeguarding processes easily accessible on our internet for children, young people and their families
- Having all the relevant information for staff available on our intranet and from their line manager
- Having an easily understandable reporting and monitoring system
- Working co-operatively with partner organisations/services, including using the Common Assessment Framework (CAF)

We want to make sure that all children and young people have a safe, healthy and happy life and get encouragement to do their best. This policy and guidance will provide all staff, volunteers and councillors with a clear understanding of the issues around safeguarding including their responsibilities, the council's processes and procedures, and what to do in an emergency. It should be considered in conjunction with the council's related policy on 'Safeguarding Vulnerable Adults'

1. A Statement of our Responsibilities

All children and young people (defined as people under the age of 18) have the right to be safe from harm and to be able to live and grow with confidence in their communities.

As a district council we have a duty and responsibility to ensure the safeguarding of, and promotion of the welfare of, children and young people (as per the Children Act 2004, Section 11). This has been further defined by statutory guidance ("*Working Together to Safeguard Children*" - 2010) to mean:

- Protecting children from maltreatment
- Preventing impairment of their health and development
- Ensuring they are growing up in circumstances consistent with the provision of safe and effective care, and undertaking that role, so as to enable those children to have optimum life chances and to enter adulthood successfully

There are certain council services that will regularly deal directly with children, families and vulnerable people – for example, Wellbeing and Housing. Some of the work they do will be classed as 'regulated activity' by the government, such as unsupervised coaching of young people. Their staff and services must operate in a manner that ensures the safety of all service users, and staff must receive training as appropriate, especially if they undertake regulated activity.

Other services will have little or no direct contact with children or vulnerable people. However, safeguarding is everybody's business and everyone has a duty to ensure children are safe and that

abuse and neglect is reported. All staff at the authority must receive basic training on safeguarding to ensure they know what is meant by abuse and neglect and what to do if they have concerns. This includes knowing what to do outside of work as responsible citizens if they are concerned about the welfare of a child or young person.

As a council, our Management Team has appointed a lead senior manager who is supported by the '**DSCO**' (**Designated Safeguarding Children Officer**), who takes a strategic and operational lead on matters related to safeguarding children and young people within the authority. The '**DSCO**' is currently Craig Brown, Community Safety & Safeguarding Officer, and his duties include ensuring this Safeguarding Policy and any other relevant policies and procedures are up to date on behalf of the Management Team. In addition, '**Safeguarding Leads**' have been identified who have specific safeguarding experience and training and are available to advise across the council if safeguarding issues arise. Contact details for these officers can be found on Page 15. Within services which have no Safeguarding Lead, information about safeguarding will be circulated to ensure that all staff are kept up to date. Our processes and procedures are also subject to overview & scrutiny by councillors, and the council actively encourages input from partners in order to improve the way we safeguard children.

As a council we also need to ensure that robust safeguarding procedures are applied when entering into contracts and service level agreements. It is the responsibility of the officer managing the agreement to make sure that the organisation concerned has appropriate policies and procedures relating to safeguarding, and that their staff have relevant training and are Disclosure and Barring Service (DBS) checked where necessary.

For more information please see:

- A NSPCC factsheet (July 2014) at:
<http://www.nspcc.org.uk/globalassets/documents/information-service/factsheet-child-abuse-reporting-requirements-professionals.pdf>

2. Understanding Abuse and Neglect

The council has a duty to ensure children and young people are protected from abuse whilst in our care, and staff members are also encouraged to report abuse should they suspect it is occurring outside of the council's area of responsibility. There are four types of child abuse that we wish to safeguard against. They are defined in the UK Government guidance *Working Together to Safeguard Children 2010* (1.33 – 1.36) as follows:

1. Physical abuse: may involve hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating, or otherwise causing physical harm to a child. Physical harm may also be caused when a parent or carer fabricates the symptoms of, or deliberately induces, illness in a child.

2. Emotional abuse: Emotional abuse is the persistent emotional maltreatment of a child such as to cause severe and persistent adverse effects on the child's emotional development. It may involve conveying to children that they are worthless or unloved, inadequate, or valued only insofar as they meet the needs of another person. It may include not giving the child opportunities to express their views, deliberately silencing them or 'making fun' of what they say or how they communicate. It may feature age or developmentally inappropriate expectations being imposed on children. These may include interactions that are beyond the child's developmental capability, as well as overprotection and limitation of exploration and learning, or preventing the child participating in normal social interaction. It may involve seeing or hearing the ill-treatment of another. It may involve serious bullying (including cyberbullying), causing children frequently to feel frightened or in danger, or the exploitation or corruption of children. Some level of emotional abuse is involved in all types of maltreatment of a child, though it may occur alone.

3. Sexual abuse: Sexual abuse involves forcing or enticing a child or young person to take part in sexual activities, not necessarily involving a high level of violence, whether or not the child is aware of what is happening. The activities may involve physical contact, non-contact activities, such as involving children in looking at, or in the production of, sexual images, watching sexual activities, encouraging children to behave in sexually inappropriate ways, or grooming a child in preparation for abuse (including via the internet). Sexual abuse is not solely perpetrated by adult males. Women can also commit acts of sexual abuse, as can other children.

4. Neglect: Neglect is the persistent failure to meet a child's basic physical and/or psychological needs, likely to result in the serious impairment of the child's health or development. Neglect may occur during pregnancy as a result of maternal substance abuse. Once a child is born, neglect may involve a parent or carer failing to:

- provide adequate food, clothing and shelter (including exclusion from home or abandonment);
- protect a child from physical and emotional harm or danger;
- ensure adequate supervision (including the use of inadequate care-givers); or
- ensure access to appropriate medical care or treatment.

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

5. Child Sexual Exploitation: Sexual exploitation of children and young people under 18 involves exploitative situations, contexts and relationships where young people (or a third person or persons) receive 'something' (e.g. food, accommodation, drugs, alcohol, cigarettes, affection, gifts, money) as a result of them performing, and/or another or others performing on them, sexual activities

People often think of child sexual exploitation in terms of serious organised crime, but it also covers abuse in relationships and may involve informal exchanges of sex for something a child wants or needs, such as accommodation, gifts, cigarettes or attention. Some children are "groomed" through "boyfriends" who then

force the child or young person into having sex with friends or associates.

Sexual abuse covers penetrative sexual acts, sexual touching, masturbation and the misuse of sexual images – such as on the internet or by mobile phone.

For more information please see:

- The full 'Working Together to Safeguard Children' document is available at <https://www.gov.uk/government/publications/working-together-to-safeguard-children--2>
- The NSPCC website has some helpful information on signs and symptoms of abuse. <http://www.nspcc.org.uk/preventing-abuse/signs-symptoms-effects/>

3. How to protect children and young people

What to do if you're worried about a child

Staff members should follow the procedure on the back of this document, dependent on the situation.

- **Where there is a serious and immediate threat to a child:** call **999**
- **During office hours:** If an incident occurs or you have concerns you should contact your line manager immediately. If they aren't available contact one of the council's safeguarding leads on **01524 582669**.
- **Outside office hours:** If an incident occurs or you have concerns you should contact the council's emergency control centre on **01524 670 99**.
- **As a private individual:** if someone has concerns about a child in the district they can contact Lancashire County Council Social Care Services directly:
 - 8am – 8pm Monday to Friday: **0300 123 6720**
 - 8pm – 8am Monday to Friday and anytime weekends and bank holidays: **0300 123 6722**

If you are acting in a professional capacity then you must also complete a Safeguarding Referral Form once you have taken action – please see below.

How to record your concerns

If you are made aware of any instance of abuse or neglect, or have any concerns, it is important to note down the details in writing as soon as possible. This will help you to maintain a clear recollection of what happened and what was said, and will allow you to complete your referral form fully.

Records of safeguarding concerns will be kept for an appropriate amount of time to comply with legislation. You can view specific information on record keeping on the council's intranet pages (<http://ofsintranet/support/information-management/>) or contact to Rosebella Kotonya, Information Management Officer, on x2192 or e-mail rkotonya@lancaster.gov.uk for more details.

What to do if a child or young person discloses abuse or other concerns directly to you

Children and young people often don't disclose abuse, and when they do it's rarely directly to professionals. Partly this is due to lack of awareness of services, and partly to do with trust and a fear of losing control of a situation. Therefore it is very important that if a child or young person does disclose something to you, you should:

- Listen carefully
- Respond sensitively and take the matter seriously
- Make the child fully aware that you cannot 'keep a secret' and must disclose issues to the appropriate agency

Make a note of everything that was discussed as soon as possible after the disclosure (see 'how to record your concerns' below). This can be done using the safeguarding referral form as a prompt – this form is available on the intranet at: <http://ofsintranet/safeguarding> or by calling x2669.

- Follow the procedure on the flowchart which is on the back of this policy and the safeguarding concern form, to ensure the correct action takes place to deal with this disclosure.

Alternative confidential support is available from the NSPCC and everyone should be aware of their Helpline Number – **0808 800 5000**.

4. Communications and Media

Photography and Video Footage

In order to protect children and young people consent may be required from a parent or guardian before photographs or video can be taken by council staff or on council property. For a template consent form and further details please see the Council's Photography and Video Footage Policy (link below)

e-Safeguarding

e-Safeguarding refers to all safeguarding issues which relate to the use of Information and Communications Technology (ICT). There are two main elements to these issues:

- **e-Security:** Procedures to protect the physical network infrastructure to ensure all confidential information and electronic data that the council holds relating to children and young people is securely maintained. These procedures form part of our overall approach to electronic data sharing, which restricts the use of removable media (such as USB drives) and also governs secure external data transfer by SFTP (secure file transfer protocol) and secure GCSX (Government Connect Secure Extranet) e-mails.
- **e-Safety:** Procedures to ensure that any child or young person accessing the internet whilst being employed by or under the care of council staff, whether on council premises or not, know their access rights and responsibilities and are kept safe. Every new employee with PC access is required to sign an 'officer's protocol for information management' that governs their use of the network, e-mail, software, the web, etc. The council also operates 'websense' software that filters any inappropriate content.

For more information please see:

- The Council's Photography and Video Footage Policy
<http://ofsintranet/GetAsset.aspx?id=fAAzADEANqB8AHwARqBhAGwAcwBIAHwAfAAwAHwA0>
- The Council's approach to electronic data sharing
<http://ofsintranet/services/governance/information-management/>
- Corporate Policy on the use of PC Software
<http://ofsintranet/GetAsset.aspx?id=fAAyADYANwB8AHwARqBhAGwAcwBIAHwAfAAwAHwA0>
- Internet Access Management Protocol (Websense)
<http://ofsintranet/GetAsset.aspx?id=fAAyADYANqB8AHwARqBhAGwAcwBIAHwAfAAwAHwA0>

5. Recruitment, Selection and Supervision

We must ensure that the people who work with children, whether they are paid employees or volunteers, are safe to do so. As a council we need to make sure that our practices and standards are consistent across all services in recruitment and selection of staff/volunteers that will be working with/having access to children.

The following points express the actions we will take during the recruitment and selection process to ensure this. They take into account the latest (September 2012) changes to the national vetting and barring scheme as per the 2012 Protection of Freedoms Act

- All posts will be assessed by the HR team and service representative(s) to identify which posts will undertake regulated activity. Managers/service heads will be notified as appropriate.
- All advertising of regulated posts will be explicit in the need for Disclosure and Barring Service (DBS) clearance
- Successful candidates will produce confirmation of identity by producing two from the following – passport, birth certificate, driving licence (photographic identity, confirming date of birth, proving current address)
- Two written references will be taken up. Where possible at least one will be associated with former work with children/young people.
- Induction will include explanation of this policy and relevant service-specific procedures.
- The new employee/volunteer will sign that they understand and will comply with the policy
- Training needs will be identified and places booked on the appropriate level of child protection, Common Assessment Framework (CAF) and other training sessions as relevant
- DBS checks will be refreshed as appropriate

Supervision

Regular supervision and management of staff is done as part of the ongoing process for all staff, which includes formal 6-monthly reviews of performance and issues arising.

Work Experience for Young People

Individual services may offer work experience positions to young people as part of their ongoing education. The code of conduct and recruitment and selection procedures outlined above will apply. Human Resources are available to offer tailored advice, including advising whether any member of staff supervising young people needs to undertake a DBS check.

For more information please see:

- Lancaster City Council Recruitment and Selection Code of Practice
<http://ofsintranet/GetAsset.aspx?id=fAAzADMANgA3AHwAfABGAGEAbAbzAGUAfAB8ADAAfAA1>
- The Disclosure and Barring Service
www.homeoffice.gov.uk/dbs
- LSCB Safer Working Practices Guidance
<http://www.lancashiresafeguarding.org.uk/resources/key-guidance-policy-documents.aspx>

6. Training

It is the responsibility of each service, in liaison with Human Resources, to make sure that all staff have received the appropriate level of training for them to be confident and competent when working with children and being able to recognise and respond to safeguarding concerns. Training has to be updated regularly, to keep up with new developments and initiatives.

New Starters

All new starters will have an introduction to this Safeguarding Policy and procedures through their local/service induction process. Induction is more than reading a document and ticking a box, the trainer has to check out that employees have an understanding of the policy and processes. New starters who have had child protection/safeguarding training through a previous employer will still have to do the council's training – this training includes how to work within the council's safeguarding policy and procedures. In this way we make sure that those staff members that have contact with children have a workable understanding of council policy and have the knowledge and skill to make sure that children are safe.

Should a specific job role require a higher level of training, the recruiting manager will ensure that the appropriate training, whether internal or external, is undertaken as soon as possible after the new employee starts.

All staff

All staff with access to a PC are required to regularly undertake the Safeguarding module on the e-Learning system, which gives a basic awareness of issues related to the safeguarding of children, young people and vulnerable adults. Staff without access to a PC will receive a briefing from their line manager.

Any other training needs relating to safeguarding issues will be identified through an employee's annual appraisal process. Staff with regular contact with children will update their training every 3 years (as a minimum) and again it is the responsibility of the line manager to arrange for this training to take place.

Elected Members

Basic Safeguarding Training will be offered on the 'Member Training Programme' for all councillors

Specialist Training

The Designated Child Safeguarding Officer will ensure that 'safeguarding leads' and other relevant officers have access to relevant interagency and professional training opportunities to ensure they are able to effectively deal with a wide variety of queries and situations.

For more information please see:

- Common Assessment Framework (CAF) including online training at the Lancashire CYP Trust website <http://www.lancashirechildrenstrust.org.uk/resources/?siteid=6274&pageid=45056>
- Specific training for sports coaches – information and guidance from the relevant National Regulatory Body http://www.nspcc.org.uk/inform/cpsu/cpsu_wda57648.html
- LSCB Training Unit
<http://www.lancshiresafeguarding.org.uk/learning-development.aspx>

7. Safe Working Practice for staff, volunteers & councillors

It is important for all staff, paid or unpaid, and councillors to behave correctly and to be positive role models for the children who they come into contact with and prioritise their needs. In particular, anyone in regular, unsupervised contact with children and young people, or any other 'regulated activity' (as defined by the Protection of Freedoms Act 2012) must adhere to appropriate guidelines.

As per Section 6 above, full training will be provided to any staff member having regular contact with children and young people. Managers must also develop local policies and systems to maximise staff safety including the need to carry out risk assessments as appropriate – if you feel that you have a training need or want to know more please speak to your line manager. However, the following are common sense points for anyone to take into account which will help to create a positive culture and also protect staff against false allegations:

- a. Act reasonably and treat all children and young people fairly and with respect.
- b. Maintain professional boundaries (see below for a link to the relevant policy)
- c. Always work in an open environment, avoiding private or unobserved situations. For example, encourage the young person to bring in a friend, leave a door open, and inform colleagues where you are and how long you'll be
- d. Don't give lifts to young people outside agreed activities. Where it is necessary to take a young person in your car ensure your manager is aware of this and how long you will be. Take a mobile phone to communicate reasons for any delays
- e. Don't take young people to your home
- f. If you have to visit a young person in their home always make sure that your manager is aware of this and you record the home visit
- g. Don't develop social relationships with young people who are service users (including via social media – see below for a link to the relevant policy)
- h. Don't accept or give money or gifts
- i. Be aware of physical contact with a young person – any support or assistance should be provided openly and appropriately – see the guidelines of the sport's/activity's National Governing Body for more details (link in Section 6)
- j. If working with mixed gender groups of young people off site (on trips, at different venues) ensure there are always male and female staff with them unless previously agreed with the Designated Safeguarding Children Officer
- k. Don't smoke or drink alcohol in the presence of children and young people

For more information please see:

- The Council's Professional Boundaries Policy
<http://ofsintranet/GetAsset.aspx?id=fAAyADIANgA1AHwAfABGAGEAbABzAGUAfAB8ADAAfAA1>
- The Council's Social Media Policy
<http://ofsintranet/GetAsset.aspx?id=fAAzADMAMAA0AHwAfABGAGEAbABzAGUAfAB8ADAAfAA1>
- Child Protection in Sport Unit/NSPCC Advice and Guidance for organisations and clubs
<https://thecpsu.org.uk/help-advice/putting-safeguards-in-place/>

8. Allegations against Staff, Councillors or Volunteers

Staff who work with children can be vulnerable to malicious or misplaced allegations against them. Unfortunately there are also occasions where some adults/professionals have been found to be perpetrators of child abuse or displaying unsuitable behaviours which would harm the children they work with. Allegations of harm or inappropriate behaviour made against staff, either paid or unpaid, are serious and must be dealt with by the **Local Authority Designated Officer (LADO)**, a professional independent of Lancaster City Council who has been appointed by the Lancashire Safeguarding Children Board.

The LADO is **Tim Booth** (01772 536694, tim.booth@lancashire.gov.uk). His role includes:

- The management and oversight of individual cases
- Providing advice and guidance to employers and voluntary organisations
- Liaising with the police and other agencies
- Monitoring the progress of cases to ensure that they are dealt with as quickly as possible, consistent with a thorough and fair process

Guidance for staff on dealing with allegations of harm or inappropriate behaviour

If someone (a child, parent, service user, fellow colleague, etc.) makes an allegation to you about another member of staff:

- do NOT investigate yourself but speak to your line manager
- your line manager will contact the DSCO and Human Resources Manager
- The DSCO or Human Resources Manager will contact the LADO directly at the earliest available opportunity
- The LADO will advise them on the correct course of action. Suspension of staff is not automatic and neither is an assumption of guilt. Each situation will need to be dealt with in a robust and sensitive manner.

If you have concerns about your line manager, the DSCO, or anyone else that may make the above process inappropriate, please refer to the council's 'Raising Concerns' policy.

The Welfare of Staff

Lancaster City Council is committed to following the correct process for dealing with any allegation against a member of staff, but it is also mindful of the welfare of that staff member and will provide appropriate help and support to them. Line managers, in liaison with Human Resources, will offer their staff members appropriate advice and support.

For more information please see:

- Lancaster City Council Raising Concerns Policy (formerly the Whistleblowing Policy):
<http://ofsintranet/GetAsset.aspx?id=fAA1ADAAMQAzAHwAfABGAGEAbABzAGUAfAB8ADAAfAA1>
- NSPCC Factsheet on allegations against staff:
https://www.nspcc.org.uk/Inform/research/briefings/Managing-allegations-of-abuse_wda95752.html

9. Prevent Duty

The Counter-Terrorism and Security Act 2015 contains a new duty on specified authorities to have due regard to the need to prevent people from being drawn into terrorism. The government has produced guidance for specified authorities, which they must have regard to when complying with the duty. This will be a legal requirement from 1st July 2015.

The duty will apply to bodies which have significant interaction with people who could be vulnerable to radicalisation. This ensures that the duty is proportionate. These include: schools, local authorities, police forces, some NHS bodies, further and higher education providers, prisons and young offender institutions and providers of probation services.

A link to the agencies responsibilities and a fact sheet are below.

[Prevent Duty Guidance](#)
[Fact Sheet on Prevent](#)

Objectives of the Prevent strategy

The Prevent strategy is one of the four elements of CONTEST, the national counter terrorism strategy, covers all forms of extremism and has three strategic objectives:

- Respond to the ideological challenge of terrorism and the threat we face from those who promote it;
- Prevent people from being drawn into terrorism and ensure that they are given appropriate support; and
- Work with sectors and institutions where there are risks of radicalisation that we need to address.

The training element of the Prevent Duty will make this training statutory for all staff in a similar way to Safeguarding training. There will be a home office approved, training package called “Workshop to Raise Awareness around Prevent” (WRAP) and will be delivered to all appropriate front line staff.

Reporting a Concern

If you have a concern you should follow our safeguarding procedure, you should contact your line manager. If they aren't available, you should contact the Designated Safeguarding Officer (DSO) on ext. 2150. Rather than a concern being referred to Social Services, it would be referred into the Channel process.

Channel is a multi-agency safeguarding programme run in every local authority in England and Wales. It works to support vulnerable people from being drawn into terrorism and provides a range of support such as mentoring, counselling, assistance with employment etc. Channel is about early intervention to protect vulnerable people from being drawn into committing terrorist-related activity and addresses all types of extremism.

Participation in Channel is voluntary. It is up to an individual, or their parents for children aged 17 and under, to decide whether to take up the support it offers. Channel does not lead to a criminal record. Meetings are held on a monthly basis.

10. Duty to Refer

Under the Safeguarding Vulnerable Groups Act 2006, Lancaster City Council has a duty to refer an employee to the Disclosure & Barring Service (DBS) if we believe there has been or is a risk of harm to child or young person while conducting regulated activity while in the employ of the City Council.

We will use the following criteria to determine if a referral should be made:

The first condition is that permission has been withdrawn to engage in regulated activity:

- Dismissed
- Redeployed
- Retired / Redundant
- Resigned

The second condition is that the local authority thinks that the person has either:

- harmed or poses a risk of harm to a child or vulnerable adult;
- satisfied the harm test; or
- received a caution or conviction for a relevant offence.

Regulated Activity involving children is classed as:

- Unsupervised Activities such as teaching, training or instruction, care for or supervise children
- providing advice/guidance on well being
- Relevant personal care washing or dressing, eating, drinking, toileting or teaching someone to do one of these tasks
- Moderating a public interactive electronic communication service used wholly or mainly by children

If a referral is made to DBS, it will include details of the person we are referring, reason for the referral, chronology of events and supporting information such as witness statements, any past disciplinary actions, application for employment etc.

For more information, visit the [Disclosure and Barring Service \(DBS\)](#)

11. Working with Partners

There is a need for organisations to work together when it comes to safeguarding. Joined up services, common processes and procedures reduce the risk of vulnerable children 'falling through the net'. The following are key elements of partnership working around safeguarding:

The Lancashire Safeguarding Children Board (LSCB) ensures countywide priorities are achieved whilst at the same time taking account of local issues and priorities. The Children Act 2004 puts this Board on a statutory footing, giving it legal responsibilities. It must ensure that all statutory agencies are working together to effectively safeguard children, providing procedures, guidance and advice and holding agencies to account if they are not meeting their safeguarding responsibilities effectively.

<http://www.lancshiresafeguarding.org.uk/>

Lancashire Children and Young People's Trust and the **Children's Partnership Board** at locality level (Fylde, Lancaster & Wyre) formalise the need for organisations to work together. Joined up services, common processes and procedures should reduce the risk of vulnerable children 'falling through the net'.

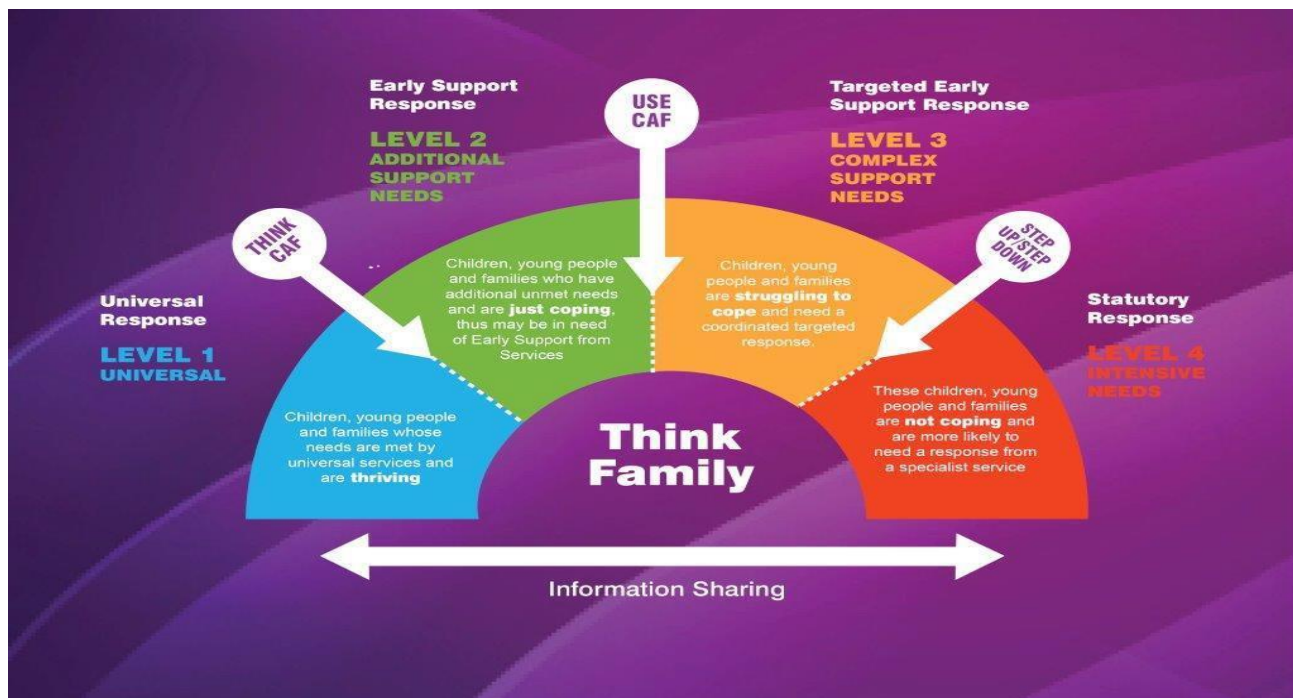
<http://www.lancashirechildrenstrust.org.uk/>

The Lancashire Safeguarding Children Key Guidance & Policy Documents provide multi-agency guidance for all organisations. This policy has been aligned with the key requirements of these procedures which are an excellent source of additional information, and should be accessed at the link below for further guidance about any safeguarding issue.

<http://www.lancshiresafeguarding.org.uk/resources/key-guidance-policy-documents.aspx>

The Lancashire Continuum of Need: the diagram on the next page shows the 'continuum of need' that is used by partners to describe the level of need of intervention by statutory services that a child or a young person may have. Most will fall on the left of the diagram, with minor needs that can be met by standard services in health, education and so on. Should their situation worsen then they may need additional support (level 2) or perhaps assessment (level 3) by a statutory agency. Should they be in danger then they would immediately move to level 4 and require protection from the police or social care.

Children and young people can move back and forth along the continuum and council staff, volunteers of councilors may be involved at different levels. Whilst we have no duty to provide child protection (level 4) we may need to report an issue at this level to the appropriate place. More commonly our staff may be involved in multi-agency teams (see next page) to support children and young people at stages 2 and 3.



The Common Assessment Framework (CAF) and Lead Professionals.

CAF and Lead Professionals (LP) are contributing elements for improved outcomes for children and young people and support the delivery of services that are integrated and focused around the needs of children and young people.

We have signed the 'declaration of acceptance' agreement to use the **Common Assessment Framework (CAF)**. CAF is a shared assessment tool for use across all children's services in England. It helps in the early identification of needs of children and young people and promotes a coordinated approach on how those needs should be met. Staff from any organisation in Lancashire can use the CAF process to decide whether action needs to be taken to support a child.

Contact the CAF Team at Lancashire County Council for further information at caf@lancashire.gov.uk or see the guidance in the links below.

The **Lead Professional (LP)** is someone who takes the lead to coordinate provision and be a single point of contact for a child/young person and their family, when a range of services are involved and an integrated response is required. They would be responsible for calling a **'team around the child (TAC)** or **team around the family (TAF)** meeting that would bring together all the relevant agencies working with a child or a family to reduce duplication and agree how best to provide the support required.

For more information please see:

- The Procedures Manual for the Pan-Lancashire Safeguarding Consortium:
<http://panlancshirescb.proceduresonline.com/chapters/contents.html>
- Lancashire Children and Young People's Trust - CAF information:
<http://www.lancashirechildrenstrust.org.uk/resources/?siteid=6274&pageid=45056>
- The 'Safe Network' covers activities and good practice in the VCFS
<http://www.safenetwork.org.uk>

12. Contacts and Communications

Internal

Management Team Lead with responsibility for Safeguarding

Suzanne Lodge – Chief Officer (Health and Housing)
(slodge@lancaster.gov.uk, x2701)

Human Resources and Staff Issues

Angela Jackson – HR Services Manager
(ajackson@lancaster.gov.uk, x2179)

Safeguarding Lead

Chris Hanna – Principal Housing Manager
(channa@lancaster.gov.uk, x2516)

Safeguarding Lead

Sharon Parkinson – Principal Housing Options Manager
(saparkinson@lancaster.gov.uk, x2621)

Designated Safeguarding Children Officer

Craig Brown - Community Safety and Safeguarding Officer
(cbrown1@lancaster.gov.uk, x2150)

Safeguarding Administration

Sue Pickthall – Children’s Trust Coordinator
(spickthall@lancaster.gov.uk, x2662)

Safeguarding Lead

Stuart Glover – Sport Development and Facilities Manager
(sglover@lancaster.gov.uk, x2854)

Safeguarding Training within the Council

Sara Stark – Training Officer
(sstark@lancaster.gov.uk, x2594)

There is a dedicated Safeguarding Number set up internally to ensure that a caller will be able to reach one of the safeguarding leads shown above – this number is **01524 582669** – calling this will cycle through each of the above numbers until someone picks up the call. This number is given on the flowchart over the page to ensure staff or councillors can always reach an expert in safeguarding if required.

External

Lancashire County Council Social Care Services

For any child protection queries, the appropriate team can be accessed via the Lancashire Hub

- 8am – 8pm Monday to Friday: **0300 123 6720**
- 8pm – 8am Monday to Friday and anytime weekends and bank holidays: **0300 123 6722**

Local Authority Designated Officer (LADO): for allegations against adults working with children

- Tim Booth (tim.booth@lancashire.gov.uk, 01772 536694)

Lancashire Safeguarding Board: for support and resources

- <http://www.lancshiresafeguarding.org.uk/>

NSPCC: For anonymous nationwide advice and support, 24 hours a day

- Helpline: (help@nspcc.org.uk, 0808 800 5000)

Safeguarding Children & Young People

What to do

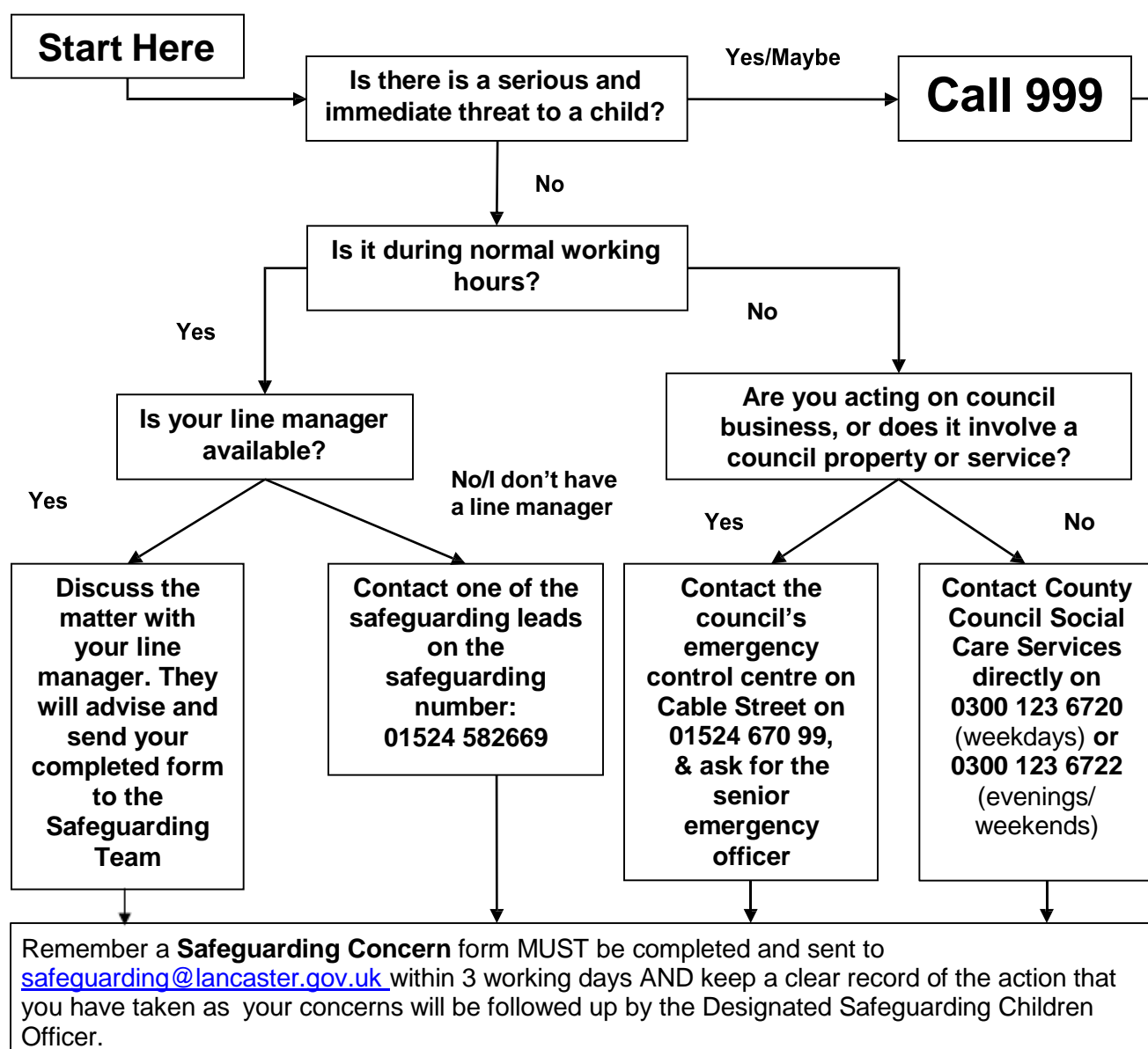
LANCASTER
CITY COUNCIL

Promoting City, Coast & Countryside

If a safeguarding incident occurs or you have any concern about a child or young person suffering abuse, neglect or being in danger in any way please follow the flowchart below to understand what to do.

Remember to:

- **Keep calm**
- **Make a note of what you have seen and heard**
 - **Complete a Safeguarding Concern form** which is available on the [intranet](#) <http://ofsintranet/safeguarding> or by request from x2669



The NSPCC also offer anonymous advice, 24 hours a day on 0808 800 5000 or help@nspcc.org.uk



Safeguarding Adults

Important!

If you're worried about an adult please use the flowchart on the back page to decide the correct course of action

Version	2
Date	November 2016
Author	Craig Brown, Community Safety & Safeguarding Officer (ext. 2150)
Review	Agreed version to be reviewed in March 2017

Safeguarding Adults Policy

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1. Policy Statement

Lancaster City Council is committed to safeguarding and promoting the welfare of adults and to delivering services that promote good practice. The welfare of the adult is paramount and is always the primary concern of the Council who recognise the need to ensure the welfare of adults whatever their age, gender, sexual orientation, race, religion or belief, gender reassignment, disability, culture or circumstance.

The Council is committed to the following principles and actions:

- The Council will ensure that a protective safeguarding culture is in place and is actively promoted within the Council and will work together with other agencies to safeguard adults.
- The Council will implement procedures to safeguard vulnerable adults and take all reasonable steps to protect them from harm, discrimination and to respect their rights, wishes and feelings.
- All employees have a responsibility to report concerns of suspected abuse or poor practice, following the procedure outlined here.
- Council employees are expected to work in an open and transparent way avoiding any conduct that may cause a reasonable person to question their motives and intentions.
- The Council will promote good practice that encourages a safe environment, protects all parties and avoids mistaken allegations of abuse.
- The Council will take all incidents of poor practice and allegations or suspicions of abuse seriously and these will be responded to swiftly and appropriately.
- The Council will respond promptly to suspicions or allegations involving employees and appropriate disciplinary and appeals procedures will be implemented.
- Confidentiality shall be upheld in line with current data protection and human rights

2. Introduction

The Care Act 2014 became law on the 14th May 2014. The Act creates a single law for adult care and support, replacing more than a dozen different pieces of legislation.

The Act introduces new duties and requirements of local authorities in a number of areas, including Safeguarding Adults.

Adult Social Care and the most of the requirements of the Care Act 2014 is the responsibility of Lancashire County Council. Lancaster City Council, as a borough council has a duty to co-operate with Lancashire County Council and any other appropriate authority as well as providing appropriate information and assisting with any investigation that may be required.

The Safeguarding duties apply to an adult 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 adult experiencing, or at risk of abuse or neglect, will hereafter be referred to as the Adult, replacing any previous terms such as Adult at Risk or Vulnerable Adult.

The Care Act 2014 identifies a number of different types and patterns of **Abuse** and **Neglect** and the circumstances in which they may take place.

It is important to note that professionals should not limit their view on what constitutes abuse or neglect, as they can take many forms and the circumstances of the individual must always be considered.

Incidents of abuse may be one-off or multiple, and affect one person or more.

Professionals and others should look beyond single incidents or individuals to identify patterns of harm, just as the Care Quality Commission, as the regulator of service quality, does when it looks at the quality of care in health and care services. Repeated instances of poor care may be an indication of more serious problems and of what the Care Act now describes as organisational abuse (See Section 3.8, Organisational Abuse (previously known as Institutional Abuse)). In order to see these patterns it is important that information is recorded and appropriately shared.

2.1 Patterns of Abuse

Patterns of abuse and abusing vary and reflect very different dynamics. These include:

- **Serial abuse** in which the perpetrator seeks out and 'grooms' individuals. Sexual abuse sometimes falls into this pattern as do some forms of financial abuse;
- **Long-term abuse** in the context of an on-going family relationship such as domestic violence between spouses or generations or persistent psychological abuse; or
- **Opportunistic abuse** such as theft occurring because money or jewellery has been left lying around.

2.2 Who abuses and neglects adults?

Anyone can abuse or neglect adults including:

- Spouses/partners;
- Other family members;
- Neighbours;
- Friends;
- Acquaintances;
- Local residents;
- People who deliberately exploit adults they perceive as vulnerable to abuse;
- Paid staff or professionals; and
- Volunteers and strangers.

Abuse can happen anywhere: for example, in someone's own home, in a public place, in hospital, in a care home or in college. It can take place when an adult lives alone or lives with others.

While a lot of attention is paid, for example to targeted fraud or internet scams perpetrated by complete strangers, it is far more likely that the person responsible for abuse is known to the adult and is in a position of trust and power.

3. Abuse

3.1. Physical Abuse

Physical Abuse is the non-accidental infliction of physical force that results (or could result) in bodily injury, pain or impairment.

Examples of physical abuse include:

- Assault;
- Slapping;
- Shaking;

Physical abuse can also include:

- Misuse of medication;
- Prolonged exposure to heat or cold;
- Force feeding;

Potential indicators of physical abuse include:

- Unexplained or inappropriately explained injuries;
- Person flinches at physical contact;
- Person appears frightened or subdued in the presence of particular people;

3.2. Domestic Abuse

See also: **Adult Safeguarding and Domestic Abuse: A Guide to Support Practitioners and Managers (LGA and ADASS)**

http://www.local.gov.uk/c/document_library/get_file?uuid=5928377b-8eb3-4518-84ac-61ea6e19a026&groupId=10180

Domestic Violence and Abuse, Home Office (<https://www.gov.uk/domestic-violence-and-abuse>)

With effect from March 2013, the official Government definition of domestic abuse is:

“Any incident or pattern of incidents of controlling, coercive or threatening behaviour, violence or abuse between those aged 16 or over who are or have been intimate partners or family members regardless of gender or sexuality. This can encompass but is not limited to the following types of abuse:

- *Psychological;*
- *Physical;*
- *Sexual;*
- *Financial;*
- *Emotional.*

Controlling behaviour is: a range of acts designed to make a person subordinate and/or dependent by isolating them from sources of support, exploiting their resources and capacities for personal gain, depriving them of the means needed for independence, resistance and escape and regulating their everyday behaviour.

Coercive behaviour is: an act or a pattern of acts of assault, threats, humiliation and intimidation or other abuse that is used to harm, punish, or frighten their victim.”

This definition includes honour based violence, female genital mutilation (FGM) and forced marriage, and is clear that victims are not confined to one gender or ethnic group.

The majority of domestic abuse is committed by men towards women. It can also involve men being abused by their female partners, abuse in same sex relationships, and by young people towards other family members, as well as the abuse of older people in families. Domestic abuse occurs irrespective of social class, racial, ethnic, cultural, religious or sexual relationships or identity.

No one agency can address all the needs of people affected by, or perpetrating, domestic violence and abuse. For intervention to be effective agencies and partner organisations need to work together, and be prepared to take on the challenges that domestic violence and abuse creates.

3.3. Sexual Abuse

Sexual abuse is the direct or indirect involvement in sexual activity without **Consent**. This could also be the inability to consent, pressure or induced to consent or take part. Sexual abuse includes rape, indecent assault, indecent exposure, sexual harassment, inappropriate looking or touching, sexual teasing or innuendo, sexual photography, subjection to pornography or witnessing sexual acts to which the adult has not consented or was pressured into consenting.

This also includes the involvement of an adult in sexual activity or relationships, which they cannot understand, or have been coerced into because the other person is in a position of trust, power or authority (e.g. day centre worker, residential worker/health worker etc.)

Denial of a sexual life to consenting adults is also considered abusive practice.

Potential Indicators of sexual abuse include:

- Person has urinary tract infections, vaginal infections or sexually transmitted infections that are not otherwise explained;
- Person appears unusually subdued, withdrawn or has poor concentration;
- A woman who lacks the mental capacity to consent to sexual intercourse becomes pregnant.

3.4. Psychological / Emotional Abuse

Psychological abuse (sometimes called Emotional Abuse) is behaviour that has a harmful effect on the adult's emotional health, well-being and development. It is the denial of a person's human and civil rights including choice and opinion, privacy and dignity and being able to follow one's own spiritual and cultural beliefs or sexual orientation.

Examples of Psychological Abuse include:

- Humiliation or blaming;
- Controlling;
- Intimidation;

Potential indicators of psychological abuse include:

- Untypical ambivalence, deference, passivity, resignation;
- Person is not allowed visitors/phone calls;
- Bullying via social networking internet sites and persistent texting.

3.5. Financial or Material Abuse

Financial abuse is the main form of abuse by the Office of the Public Guardian both amongst adults and children at risk. Financial recorded abuse can occur in isolation, but as research has shown, where there are other forms of abuse, there is likely to be financial abuse occurring. Whilst this is not always the case, staff and volunteers need to be aware of and vigilant to this.

Examples of Financial/Material Abuse include:

- Fraud;
- Exploitation;
- The misuse or misappropriation of property, possessions or benefits.

It also includes the withholding of money or the unauthorised or improper use of a person's money or property, usually to the disadvantage of the person to whom it belongs.

Staff borrowing money or objects from a service user is also considered financial abuse.

Potential indicators of financial/material abuse include:

- Lack of heating, clothing or food;
- Unexplained withdrawals from accounts;
- Recent acquaintances expressing sudden or disproportionate interest in the person and their money;

Financial abuse has the potential to significantly threaten an adult's health and well-being.

Most financial abuse is also capable of amounting to theft or fraud and so would be a matter for the police to investigate. It may also require attention and collaboration from a wider group of organisations, including shops and financial institutions such as banks.

Where the abuse is by someone who has the authority to manage an adult's money, the relevant body should be informed, for example, the Office of the Public Guardian for deputies and **Department for Work and Pensions (DWP)** in relation to appointees.

If there are concerns that a DWP appointee is acting incorrectly, the DWP should be contacted immediately. In addition to a name and address the DWP can act more quickly if it also has a National Insurance number. If the DWP know that the person is also known to the local authority then they should also inform them.

3.5.1 Undue Influence

The concept of 'undue influence' applies where a person has capacity to conduct a financial or property transaction (usually related to gifts or wills), but they have been not just influenced, but unduly influenced by someone else. If there is evidence of coercion or undue pressure, this is known as 'express undue influence'. Usually there is no such evidence, but there may have been 'presumed undue influence'.

There are three initial points in relation to undue influence:

- a) The unduly influenced person has mental **Capacity** to take the decision in question;
- b) The person is influenced to enter into a transaction concerning a gift or will, in such a way that it is not of his or her own free will;
- c) There are two legal types of undue influence. One is called 'express' undue influence that applies to both gifts and wills; the other is called 'presumed' undue influence and applies to gifts only' Consent should not therefore always be accepted at face value, since some adults may need protection from emotional manipulation and exploitation.

In addition to undue influence, the courts can simply set aside gifts or wills on the grounds that the person lacked capacity at the relevant time.

3.6. Modern Slavery/ Human Trafficking

See also **Modern Day Slavery: The Hidden Agenda**

(<http://www.humantraffickingfoundation.org/sites/default/files/Booklet.pdf>)

Modern Slavery: How the UK is leading the fight, Home Office

(https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/328096/Modern_slavery_booklet_v12_WEB_2_.pdf)

Human Trafficking, Best Practice Guide, National Crime Agency

(<http://www.nationalcrimeagency.gov.uk/about-us/what-we-do/specialist-capabilities/uk-human-trafficking-centre/best-practice-guide>)

Modern Slavery encompasses slavery, human trafficking, forced labour and domestic servitude. Traffickers and slave masters use whatever means they have to coerce, deceive and force individuals into a life of abuse, servitude and inhumane treatment.

Human trafficking is the movement of a person from one place to another, using methods of deception, coercion, the abuse of power or of someone's vulnerability and for the purposes of exploitation. It is possible to be a victim of trafficking even if their consent has been given to being moved. Human trafficking may occur across international borders or take place within one country.

According to the National Crime agency, there are three main elements:

1. The movement: recruitment, transportation, transfer, harbouring or receipt of people;
2. The control: threat, use of force, coercion, abduction, fraud, deception, abuse of power or vulnerability, or the giving of payments or benefits to a person in control of the victim;
3. The purpose: exploitation of a person, which includes prostitution and other sexual exploitation, forced labour, slavery or similar practices, and the removal of organs.

3.7. Discriminatory Abuse

The principles of Discriminatory Abuse are embodied in legislation including the following:

Race Relations Act 1976 (Amendments) Regulations 2003
(<http://www.legislation.gov.uk/ukdsi/2003/0110461835/contents>)

Disability Discrimination Act 1995 (<http://www.legislation.gov.uk/ukpga/1995/50/contents>)

Human Rights Act 1998 (<http://www.legislation.gov.uk/ukpga/1998/42/data.pdf>)

This type of Abuse is motivated by discriminatory and oppressive attitudes towards people on the grounds of disability, gender and gender identity and reassignment, age, race, religion or belief, sexual orientation, and political beliefs.

It may be a feature of any form of abuse and manifests itself as physical abuse/assault, sexual abuse/assault, financial abuse/theft, neglect and psychological abuse/harassment. It includes verbal abuse and racist, sexist, homophobic or ageist comments, or jokes or any other form of harassment. It also includes not responding to dietary needs and not providing appropriate spiritual support.

Examples of Discriminatory Abuse include:

- Unequal treatment;
- Verbal abuse;
- Harassment;

Potential indicators of Discriminatory Abuse include:

- A person may reject their own cultural background and/or racial origin or other personal beliefs, sexual practices or lifestyle choices;
- Lack of respect shown to an individual;
- Repeated exclusion from rights afforded to citizens such as health, education, employment, criminal justice and civic status;

3.8. Organisational Abuse (previously known as Institutional Abuse)

Organisational Abuse includes neglect and poor care practice within an institution or specific care setting such as a hospital or care home or in relation to care provided in one's own home. This may range from one off incidents to on-going ill-treatment.

It may be a result of regimes, routines, practices and behaviours that occur in services that adults live in or use and which violate their human rights. This may be part of the culture of a service to which staff are accustomed and may pass by unremarked upon. They may be subtle, small and apparently insignificant, yet together may amount to a service culture that denies, restricts or curtails the dignity, privacy, choice, independence or fulfilment of individuals.

Organisational Abuse is most likely to occur when staff:

- Receive little support from management;
- Are inadequately trained;
- Are poorly supervised and poorly supported in their work;

The risk of abuse is also greater in services:

- With too few staff;
- Where there is a closed culture;
- Where there are inadequate quality assurance and monitoring systems in place.

Potential indicators of Organisational Abuse include:

- Unnecessary or inappropriate rules and regulations;
- Inappropriate staff behaviour, such as the development of factions, misuse of drugs or alcohol, failure to respond to leadership;
- Staff attitudes, where staff may view clients negatively, treating them like children, not involving them in making choices as they seem too confused or disabled. Staff may think that if clients do not appear to understand then they can talk in front of them as if they are not there.

3.9. Neglect and Acts of Omission

Neglect is the failure of any person who has responsibility for the charge, care or custody of an adult to provide the amount and type of care that a reasonable person would be expected to provide.

Behaviours that can lead to neglect include:

- 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 (this may also constitute physical abuse if the person's physical health is adversely affected).

Neglect also includes a failure to intervene in situations that are dangerous to the person concerned or to others, particularly when the person lacks the mental capacity to assess risk for themselves.

Neglect and poor professional practice may take the form of isolated incidents or pervasive ill treatment and gross misconduct. Repeated instances of poor care may be an indication of more serious problems.

Neglect can be intentional or unintentional.

Potential indicators of Neglect and Acts of Omission include:

- Person has inadequate heating and/or lighting;
- Person is malnourished, has sudden or continuous weight loss and/or is dehydrated;
- Callers/visitors are refused access to the person;

4. Self-Neglect

This covers a wide range of behaviours including neglecting to care for one's personal hygiene, health or surroundings and includes behaviour such as hoarding. Safeguarding partnerships can be a positive means of addressing issues of self-neglect. The Safeguarding Adults Board is a multi-agency group that is the appropriate forum where strategic discussions can take place on dealing with what are often complex and challenging situations for practitioners and managers as well as communities more broadly. Recent research has identified ways of working that can have positive outcomes for those who self-neglect. See: **A Scoping Study of Workforce Development for Self-Neglect Work, Skills for Care, October 2013** (<http://www.skillsforcare.org.uk/Document-library/NMDS-SC,-workforce-intelligence-and-innovation/Research/Self-Neglect-Final-Report-301013-FINAL.pdf>).

Below is a case study taken from the **Department of Health Guidance: Care and Support Statutory Guidance, October 2014** (https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/366104/43380_23_902777_Care_Act_Book.pdf) which demonstrates how agencies can work together, using a sensitive and caring approach to address the issue of hoarding:

5. Spotting Signs of Abuse and Neglect

Workers across a wide range of organisations need to be vigilant about adult safeguarding concerns in all walks of life including, amongst others in health and social care, welfare, policing, banking, fire and rescue services and trading standards; leisure services, faith groups, and housing. GPs, in particular, are often well-placed to notice changes in an adult that may indicate they are being abused or neglected. The role of the public and the community should not be dismissed in that they also can play a part in identifying concerns. (See Case Study below).

Findings from Serious Case Reviews have sometimes stated that if professionals or other staff had acted upon their concerns or sought more information, then death or serious harm might have been prevented.

The following case study, taken from The Department of Health Guidance: **Care and Support Statutory Guidance**

(https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/366104/43380_23_902777_Care_Act_Book.pdf) issued under the Care Act 2014, October 2014 illustrates the important role that the community (in this case a neighbour) plays in identifying when an adult is at risk.

Mr A is in his 40s, and lives in a housing association flat with little family contact. His mental health is relatively stable after a previous period of hospitalisation, and he has visits from a mental health support worker.

He rarely goes out, but he lets people into his accommodation because of his loneliness. The police were alerted by Mr A's neighbours to several domestic disturbances. His accommodation had been targeted by a number of local people and he had become subjected to verbal, financial and sometime physical abuse.

Although Mr A initially insisted they were his friends, he did indicate he was frightened; he attended a case conference with representatives from adult social care, mental health services and the police, from which emerged a plan to strengthen his own self-protective ability as well as to deal with the present abuse.

Mr A has made different arrangements for managing his money so that he does not accumulate large sums at home. A community-based visiting service has been engaged to keep him company through visits to his home, and with time his support worker aims to help get involved in social activities that will bring more positive contacts to allay the loneliness that Mr A sees as his main challenge.

Anyone can witness or become aware of information suggesting that abuse and neglect is occurring. The matter may, for example, be raised by a worried neighbour (see above case study), a concerned bank cashier, a GP, a welfare benefits officer, a housing support worker or a nurse on a ward.

Primary care staff may be particularly well placed to spot abuse and neglect, as in many cases they may be the only professionals with whom the adult has contact. The adult may say or do things that hint that all is not well. It may come in the form of a complaint, a call for a police response, an expression of concern, or come to light during a needs assessment.

Regardless of how the safeguarding concern is identified, everyone should understand what to do, and where to go locally to get help and advice. It is vital that professionals, other staff and members of the public are vigilant on behalf of those unable to protect themselves. This will include:

- Knowing about different types of abuse and neglect and their signs;
- Supporting adults to keep safe;
- Knowing who to tell about suspected abuse or neglect; and
- Supporting adults to think and weigh up the risks and benefits of different options when exercising choice and control.

Awareness campaigns for the general public and multi-agency training for all staff will contribute to achieving these objectives.

6. Reporting and Responding to Abuse and Neglect

It is important to understand the circumstances of abuse, including the wider context such as whether others may be at risk of abuse, whether there is any emerging pattern of abuse, whether others have witnessed abuse and the role of family members and paid staff or professionals.

The circumstances surrounding any actual or suspected case of abuse or neglect will inform the response. For example, it is important to recognise that abuse or neglect may be unintentional and may arise because a carer is struggling to care for another person. This makes the need to take action no less important, but in such circumstances, an appropriate response could be a support package for the carer and monitoring. However, the primary focus must still be how to safeguard the adult. In other circumstances where the safeguarding concerns arise from abuse or neglect deliberately intended to cause harm, then it would not only be necessary to immediately consider what steps are needed to protect the adult but also whether to refer the matter to the police to consider whether a criminal investigation would be required or appropriate.

The nature and timing of the intervention and who is best placed to lead will be, in part, determined by the circumstances. For example, where there is poor, neglectful care or practice, resulting in pressure sores for example, then an employer-led disciplinary response may be more appropriate; but this situation will need additional responses such as clinical intervention to improve the care given immediately and a clinical audit of practice. Commissioning or regulatory enforcement action may also be appropriate.

Early sharing of information is the key to providing an effective response where there are emerging concerns. No professional should assume that someone else will pass on information which they think may be critical to the safety and wellbeing of the adult. If a professional has concerns about the adult's welfare and believes they are suffering or likely to suffer abuse or neglect, then they should share the information with the local authority and, or, the police if they believe or suspect that a crime has been committed.

7. What to do if you're worried about an adult

Staff and Members should follow the procedure on page 2 of this document, dependent on the situation.

- **Where there is a serious and immediate threat:** call 999
- **During office hours:** If an incident occurs or you have concerns you should contact your line manager. If they aren't available contact one of the council's Safeguarding Leads on ext. 2669
- **Outside office hours:** If an incident occurs or you have concerns you should contact the council's emergency control centre on **(01524) 670 99** (*For out-of-hours use only*)
- **Outside of work:** if someone has concerns they can contact Lancashire County Council Social Care Services directly

8am – 8pm Monday to Friday: 0300 123 6720

8pm – 8am Monday to Friday and anytime weekends and bank holidays: 0300 123 6722

How to record your concerns

If you are made aware of any instance of abuse, or have any concerns about it, it is important to note down the details in writing as soon as possible. This ensures the Council can maintain a full corporate record of all safeguarding issues encountered by staff, which will allow us to take action to reduce them in future. There is an online referral form on Elsie that can be used:

http://intranet/forms/ShowForm.asp?fm_fid=143

Records will be kept for an appropriate amount of time to comply with legislation.

8. Allegations of abuse against employees

If an allegation of abuse is made against an employee, the HR Manager must be informed immediately. They will inform the relevant Chief Officer and consideration will be given to suspending the employee from work or moving them to alternative duties not involving contact with vulnerable adults – in accordance with the Council's Disciplinary Policy and Procedure.

If it is necessary to conduct an investigation into events surrounding the complaint, this Disciplinary Policy and Procedure. The consideration of suspension in such circumstances does not imply guilt but is a neutral course of action, which is designed to ensure that both employees and complainants are protected during the investigation.

9. Prevent Duty

The Counter-Terrorism and Security Act 2015 contains a new duty on specified authorities to have due regard to the need to prevent people from being drawn into terrorism. The government has produced guidance for specified authorities, which they must have regard to when complying with the duty. This will be a legal requirement from 1st July 2015.

The duty will apply to bodies which have significant interaction with people who could be vulnerable to radicalisation. This ensures that the duty is proportionate. These include: schools, local authorities, police forces, some NHS bodies, further and higher education providers, prisons and young offender institutions and providers of probation services.

A link to the agencies responsibilities and a fact sheet are below.

[Prevent Duty Guidance](#)

[Fact Sheet on Prevent](#)

Objectives of the Prevent strategy

The Prevent strategy is one of the four elements of CONTEST, the national counter terrorism strategy, covers all forms of extremism and has three strategic objectives:

- Respond to the ideological challenge of terrorism and the threat we face from those who promote it;
- Prevent people from being drawn into terrorism and ensure that they are given appropriate support; and
- Work with sectors and institutions where there are risks of radicalisation that we need to address.

The training element of the Prevent Duty will make this training statutory for all staff in a similar way to Safeguarding training. There will be a home office approved, training package called “Workshop to Raise Awareness around Prevent” (WRAP) and will be delivered to all appropriate front line staff.

Reporting a Concern

If you have a concern you should follow our safeguarding procedure, you should contact your line manager. If they aren't available, you should contact the Designated Safeguarding Officer (DSO) on ext. 2150. Rather than a concern being referred to Social Services, it would be referred into the Channel process.

Channel is a multi-agency safeguarding programme run in every local authority in England and Wales. It works to support vulnerable people from being drawn into terrorism and provides a range of support such as mentoring, counselling, assistance with employment etc. Channel is about early intervention to protect vulnerable people from being drawn into committing terrorist-related activity and addresses all types of extremism.

Participation in Channel is voluntary. It is up to an individual, or their parents for children aged 17 and under, to decide whether to take up the support it offers. Channel does not lead to a criminal record. Meetings are held on a monthly basis.

10. Duty to Refer

Under the Safeguarding Vulnerable Groups Act 2006, Lancaster City Council has a duty to refer an employee to the Disclosure & Barring Service (DBS) if we believe there has been or is a risk of harm to child or young person while conducting regulated activity while in the employ of the City Council.

We will use the following criteria to determine if a referral should be made:

The first condition is that permission has been withdrawn to engage in regulated activity:

- Dismissed
- Redeployed
- Retired / Redundant
- Resigned

The second condition is that the local authority thinks that the person has either:

- harmed or poses a risk of harm to a child or vulnerable adult;
- satisfied the harm test; or
- received a caution or conviction for a relevant offence.

Regulated Activity involving children is classed as:

- Unsupervised Activities such as teaching, training or instruction, care for or supervise children
- providing advice/guidance on well being
- Relevant personal care washing or dressing, eating, drinking, toileting or teaching someone to do one of these tasks
- Moderating a public interactive electronic communication service used wholly or mainly by children

If a referral is made to DBS, it will include details of the person we are referring, reason for the referral, chronology of events and supporting information such as witness statements, any past disciplinary actions, application for employment etc.

For more information, visit the [Disclosure and Barring Service \(DBS\)](#)

11. Contacts and Communications

Internal

Designated Safeguarding Officer

Craig Brown, Community Safety & Safeguarding
(cbrown1@lancaster.gov.uk, x2150)

Senior Manager with responsibility for Safeguarding

Suzanne Lodge, Chief Officer (Health & Housing)
(slodge@lancaster.gov.uk, x2701)

Human Resources and Staff Issues

Angela Jackson – HR Services Manager
(ajackson@lancaster.gov.uk, x2179)

Safeguarding Administration

Sue Pickthall – Children’s Trust Coordinator
(spickthall@lancaster.gov.uk, x2662)

Safeguarding Contact

Chris Hanna – Principal Housing Manager
(channa@lancaster.gov.uk, x2516)

Safeguarding Contact

Paula Shakespeare - Supported Housing Manager
(PShakespeare@lancaster.gov.uk, x 6858)

There is a dedicated Safeguarding Number set up internally to ensure that a caller will be able to reach one of the safeguarding leads shown above – this number is **01524 582669** – calling this will cycle through a group of Safeguarding contacts. This number is given on the flowchart over the page to ensure staff or councillors can always reach an expert in safeguarding if required.

External

Lancashire County Council Social Care Services

For any child protection queries, the appropriate team can be accessed via the Lancashire Contact Centre:

- 8am – 8pm Monday to Friday: local number 0300 123 6721
- 8pm – 8am Monday to Friday and anytime weekends and bank holidays: 0300 123 6722

Lancashire Safeguarding Adults Board: for info on the countywide approach & resources available
http://www3.lancashire.gov.uk/corporate/web/?Safeguarding_adults_website/13624

- Lisa Lloyd, Advanced Practitioner, Active Intervention and Safeguarding 07795541141 / Lisa.Lloyd@lancashire.gov.uk

Pan-Lancashire and Cumbria Adults Safeguarding Boards Policy (which this policy is based on):
http://www3.lancashire.gov.uk/corporate/web/?Safeguarding_adults_website/13624

Related Guidance

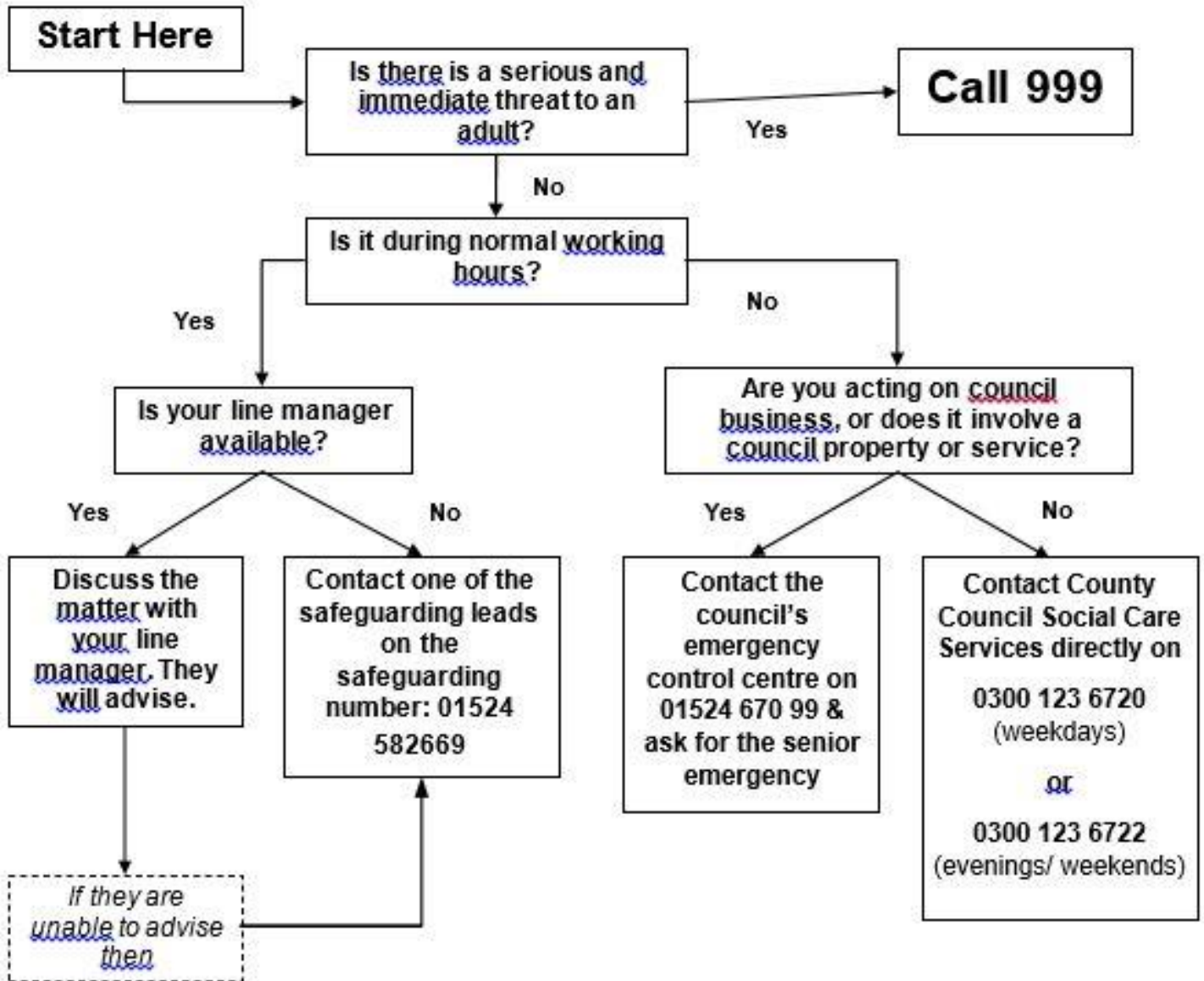
The Care Act 2014 (<http://www.legislation.gov.uk/ukpga/2014/23/contents/enacted>)

Care and Support Statutory Guidance, DH, October 2014

(https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/366104/43380_2390277_7_Care_Act_Book.pdf)

Taking Action

If an incident occurs or you have concerns please follow the flowchart below to understand what to:



Equality impact assessment form

An equality impact assessment should take place when considering doing something in a new way.

Please submit your completed form as an appendix to your committee reports for monitoring and publishing purposes to [‘report clearance’](#) (please refer to report writing guidance).

Please keep your answers brief and to the point. Consideration needs to be reasonable and proportionate.

Please also remember that this will be a public document – do not use jargon or abbreviations.

Section 1: Details

Service	Human Resources
Title and brief description (if required)	Standby and Callout Policy
New or existing	Existing Policy
Author/officer lead	Angela Jackson
Date	09.01.17

Does this affect staff, customers or other members of the public?

- Yes** Please complete the rest of the equality form.
No Please return the equality form as above.

Section 2: Summary

What is the purpose, aims and objectives?

The Standby and Callout policy details the arrangements for Lancaster City Council employees that apply in respect of any periods when they undertake Standby and Callout.

Who is intended to benefit and how?

The document exists to ensure that employees and managers understand the arrangements that apply to them in respect of Standby and Callout.

Section 3: Assessing impact

Is there any potential or evidence that this will or could:		
• Affect people from any protected group differently to others?		No
• Discriminate unlawfully against any protected group?		No
• Affect the relations between protected groups and others?		No
• Encourage protected groups to participate in activities if participation is disproportionately low (won't always be applicable)?		No
• Prevent the council from achieving the aims of its' Equality and Diversity Policy?		No

If yes, please provide more detail of potential impact and evidence including:	
<ul style="list-style-type: none"> - A brief description of what information you have and from where eg getting to know our communities data, service use monitoring, views of those affected ie discussions or consultation results? - What does this tell you ie negative or positive affect? 	
Age including older and younger people and children	
Disability	
Faith, religion or belief	
Gender including marriage, pregnancy and maternity	
Gender reassignment	
Race	
Sexual orientation Including Civic Partnership	

Rural communities	
People on low incomes	

Section 4: Next steps

Do you need any more information/evidence eg statistics, consultation? If so, how do you plan to address this?

No. Consultation over the changes to Standby and Callout arrangements have taken place with both the Trade Unions and employees.

How have you taken/will you take the potential impact and evidence into account?

N/A

How do you plan to monitor the impact and effectiveness of this change or decision?

Employment Policies are reviewed on an ongoing basis.

Thank you for completing this equality impact assessment form, please submit your completed form as an appendix to your committee reports for monitoring and publishing purposes to ['report clearance'](#) (please refer to report writing guidance).

Equality impact assessment form

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Please also remember that this will be a public document – do not use jargon or abbreviations.

Section 1: Details

Service	Human Resources
Title and brief description (if required)	Dignity at Work Policy
New or existing	Existing Policy
Author/officer lead	Angela Jackson
Date	09.01.17

<p>Does this affect staff, customers or other members of the public?</p> <p>Yes Please complete the rest of the equality form.</p> <p>No Please return the equality form as above.</p>

Section 2: Summary

<p>What is the purpose, aims and objectives?</p> <p>The Dignity at Work Policy details the Council’s commitment that the work environment is free from harassment and bullying; details the responsibilities of managers and employees and how complaints should be handled.</p>

<p>Who is intended to benefit and how?</p> <p>The document exists to ensure that employees and managers understand the arrangements that apply to them in respect of preventing bullying and harassment at work and treating colleagues with dignity and respect.</p> <p>.</p>

Section 3: Assessing impact

Is there any potential or evidence that this will or could:		
• Affect people from any protected group differently to others?		No
• Discriminate unlawfully against any protected group?		No
• Affect the relations between protected groups and others?		No
• Encourage protected groups to participate in activities if participation is disproportionately low (won't always be applicable)?		No
• Prevent the council from achieving the aims of its' Equality and Diversity Policy?		No

If yes, please provide more detail of potential impact and evidence including:	
<ul style="list-style-type: none"> - A brief description of what information you have and from where eg getting to know our communities data, service use monitoring, views of those affected ie discussions or consultation results? - What does this tell you ie negative or positive affect? 	
Age including older and younger people and children	
Disability	
Faith, religion or belief	
Gender including marriage, pregnancy and maternity	
Gender reassignment	
Race	
Sexual orientation Including Civic Partnership	

Rural communities	
People on low incomes	

Section 4: Next steps

Do you need any more information/evidence eg statistics, consultation? If so, how do you plan to address this?

Trade union representatives have been consulted over the revisions.

How have you taken/will you take the potential impact and evidence into account?

N/A

How do you plan to monitor the impact and effectiveness of this change or decision?

Employment Policies are reviewed on an ongoing basis.

Thank you for completing this equality impact assessment form, please submit your completed form as an appendix to your committee reports for monitoring and publishing purposes to ['report clearance'](#) (please refer to report writing guidance).

Equality impact assessment form

An equality impact assessment should take place when considering doing something in a new way.

Please submit your completed form as an appendix to your committee reports for monitoring and publishing purposes to [‘report clearance’](#) (please refer to report writing guidance).

Please keep your answers brief and to the point. Consideration needs to be reasonable and proportionate.

Please also remember that this will be a public document – do not use jargon or abbreviations.

Section 1: Details

Service	Human Resources
Title and brief description (if required)	Substance Misuse Policy and Procedure
New or existing	Existing Policy
Author/officer lead	Angela Jackson
Date	09.01.17

Does this affect staff, customers or other members of the public?

- Yes** Please complete the rest of the equality form.
No Please return the equality form as above.

Section 2: Summary

What is the purpose, aims and objectives?

The revised Substance Misuse Policy and Procedure details the arrangements that exist to respond to concerns that an employee may be misusing alcohol or other substances.

Who is intended to benefit and how?

The document exists to ensure that employees and managers understand the support that is available and employees and managers understand their obligations when a substance misuse matter comes to light.

Section 3: Assessing impact

Is there any potential or evidence that this will or could:		
• Affect people from any protected group differently to others?	Yes	
• Discriminate unlawfully against any protected group?		No
• Affect the relations between protected groups and others?		No
• Encourage protected groups to participate in activities if participation is disproportionately low (won't always be applicable)?		No
• Prevent the council from achieving the aims of its' Equality and Diversity Policy?		No

If yes, please provide more detail of potential impact and evidence including:	
<ul style="list-style-type: none"> - A brief description of what information you have and from where eg getting to know our communities data, service use monitoring, views of those affected ie discussions or consultation results? - What does this tell you ie negative or positive affect? 	
Age including older and younger people and children	
Disability	An addiction to substances is not covered by the Equality Act 2010. However, in certain circumstances an employee may have a physical or mental impairment that does amount to a disability within the meaning of the Act which was caused by or was the result of a substance addiction, for example a serious liver condition or a depressive illness. The employee would in this case be disabled, notwithstanding that the disability was caused to a large extent by the substance addiction.
Faith, religion or belief	
Gender including marriage, pregnancy and maternity	
Gender reassignment	
Race	
Sexual orientation	

Including Civic Partnership	
Rural communities	
People on low incomes	

Section 4: Next steps

Do you need any more information/evidence eg statistics, consultation? If so, how do you plan to address this?

No. A referral to the Council's Occupational Health provider will provide managers and the Council with further advice on whether an employee has a disability caused by substance misuse and whether reasonable adjustments should be considered.

How have you taken/will you take the potential impact and evidence into account?

Reasonable adjustments to the employees work will be considered and, where possible implemented as appropriate.

How do you plan to monitor the impact and effectiveness of this change or decision?

Employment Policies are reviewed on an ongoing basis.

Thank you for completing this equality impact assessment form, please submit your completed form as an appendix to your committee reports for monitoring and publishing purposes to ['report clearance'](#) (please refer to report writing guidance).

Equality impact assessment form

An equality impact assessment should take place when considering doing something in a new way.

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Please keep your answers brief and to the point. Consideration needs to be reasonable and proportionate.

Please also remember that this will be a public document – do not use jargon or abbreviations.

Section 1: Details

Service	Health & Housing
Title and brief description (if required)	Children & Young People Safeguarding Policy
New or existing	Existing
Author/officer lead	Craig Brown
Date	17/01/2017

Does this affect staff, customers or other members of the public?

Yes Please complete the rest of the equality form.

Section 2: Summary

What is the purpose, aims and objectives?

The main aim of this review is to make the Safeguarding Policy process more accessible and effective through improving understanding, introducing a clear line of accountability and simplification of reporting.

The policy is a key corporate document and supporting procedures are to be available to all staff. Application of the policy is to be proportionate – employees with regular contact with children & young people or with responsibility for ensuring safe environments will take priority.

The purpose of this policy and associated procedures is to protect and promote the welfare of the children & young people using or receiving services provided or commissioned by Lancaster City Council and to protect the Council, its officers, elected members and volunteers. Safeguarding children and young people is the responsibility of Lancaster City Council employees.

Who is intended to benefit and how?

The key beneficiaries of the policy are children & young people across the Lancaster district. The policy also provides a formalised approach for staff and members who may find themselves dealing with safeguarding issues.

Section 3: Assessing impact

Is there any potential or evidence that this will or could:		
• Affect people from any protected group differently to others?	Yes	
• Discriminate unlawfully against any protected group?		No
• Affect the relations between protected groups and others?		No
• Encourage protected groups to participate in activities if participation is disproportionately low (won't always be applicable)?	NA	
• Prevent the council from achieving the aims of its' Equality and Diversity Policy?		No

If yes, please provide more detail of potential impact and evidence including:

- A brief description of what information you have and from where eg getting to know our communities data, service use monitoring, views of those affected ie discussions or consultation results?
- What does this tell you ie negative or positive affect?

Age	The Policy is specifically targeted at ensuring the safety of children & young people and accordingly has a positive impact. A separate policy will address protection of vulnerable adults.
Disability	
Faith, religion or belief	
Gender	
Gender reassignment	
Race	
Sexual orientation	
Rural communities	
People on low incomes	

Section 4: Next steps

Do you need any more information/evidence eg statistics, consultation? If so, how do you plan to address this?

N/A

How have you taken/will you take the potential impact and evidence into account?

Through quarterly monitoring of policy and case reports.

How do you plan to monitor the impact and effectiveness of this change or decision?

The policy will be reviewed on a yearly basis.

Thank you for completing this equality impact assessment form, please submit your completed form as an appendix to your committee reports for monitoring and publishing purposes to ['report clearance'](#) (please refer to report writing guidance).

Equality impact assessment form

An equality impact assessment should take place when considering doing something in a new way.

Please submit your completed form as an appendix to your committee reports for monitoring and publishing purposes to [‘report clearance’](#) (please refer to report writing guidance).

Please keep your answers brief and to the point. Consideration needs to be reasonable and proportionate.

Please also remember that this will be a public document – do not use jargon or abbreviations.

Section 1: Details

Service	Health and Housing
Title and brief description (if required)	Adult Safeguarding Policy
New or existing	Existing
Author/officer lead	Craig Brown
Date	17/01/2017

Does this affect staff, customers or other members of the public?

Yes Please complete the rest of the equality form.

Section 2: Summary

What is the purpose, aims and objectives?

The main aim of this review is to make the Safeguarding Policy process more accessible and effective through improving understanding, introducing a clear line of accountability and simplification of reporting.

The policy is a key corporate document and supporting procedures are to be available to all staff. Application of the policy is to be proportionate – employees with regular contact with vulnerable adults or with responsibility for ensuring safe environments will take priority.

The purpose of this policy and associated procedures is to protect and promote the welfare of the vulnerable adults using or receiving services provided or commissioned by Lancaster City Council and to protect the Council, its officers, elected members and volunteers. Safeguarding children and vulnerable adults is the responsibility of Lancaster City Council employees.

Who is intended to benefit and how?

The key beneficiaries of the policy are vulnerable adults across the Lancaster district. The policy also provides a formalised approach for staff and members who may find themselves dealing with safeguarding issues.

Section 3: Assessing impact

Is there any potential or evidence that this will or could:		
• Affect people from any protected group differently to others?	Yes	
• Discriminate unlawfully against any protected group?		No
• Affect the relations between protected groups and others?		No
• Encourage protected groups to participate in activities if participation is disproportionately low (won't always be applicable)?	NA	
• Prevent the council from achieving the aims of its' Equality and Diversity Policy?		No

If yes, please provide more detail of potential impact and evidence including:	
<ul style="list-style-type: none"> - A brief description of what information you have and from where eg getting to know our communities data, service use monitoring, views of those affected ie discussions or consultation results? - What does this tell you ie negative or positive affect? 	
Age	The Policy is specifically targeted at ensuring the safety of vulnerable adults and accordingly has a positive impact. A separate policy will address protection of children and young people adults.
Disability	
Faith, religion or belief	
Gender	
Gender reassignment	
Race	
Sexual orientation	
Rural communities	
People on low incomes	

Section 4: Next steps

Do you need any more information/evidence e.g., statistics, consultation? If so, how do you plan to address this?
N/A

How have you taken/will you take the potential impact and evidence into account?

Through quarterly monitoring of policy and case reports

How do you plan to monitor the impact and effectiveness of this change or decision?

The policy will be reviewed on a yearly basis.

Thank you for completing this equality impact assessment form, please submit your completed form as an appendix to your committee reports for monitoring and publishing purposes to ['report clearance'](#) (please refer to report writing guidance).