



FLITWICK TOWN COUNCIL

DRAFT Minutes of the HR Committee held on 17th April 2024
at the Rufus Centre at 7:30pm

Present:

Cllr A Snape (Chair)

Cllr I Blazeby

Cllr J Roberts

Also present:

Stacie Lockey – Town Clerk

Members of the public - 0

1. **APOLOGIES FOR ABSENCE**

No items.

2. **DECLARATIONS OF INTEREST**

To receive Statutory Declarations of Interest from Members in relation to:

- (a) Disclosable Pecuniary interests in any agenda item – none.
- (b) Non-Pecuniary interests in any agenda item – none.

3. **CHAIRMANS ANNOUNCEMENTS**

There were none.

4. **PUBLIC OPEN SESSION**

No items.

5. **MEMBERS QUESTIONS**

No items.

6. **MINUTES**

- a. For Members to receive and adopt the minutes of the HR Meeting, held on **11th January 2024**.

It was **resolved** to adopt the minutes of the HR Meeting held on Monday 11th January 2024 at the Rufus Centre as a true record.

7. **MATTERS ARISING**

- a. Minutes of the HR Meeting held on 11th January 2024.

There were no matters arising.

8. **PUBLIC OPEN SESSION**

There were no items.

9. **ITEMS FOR CONSIDERATION**

a. **Volunteer Policy**

It was **RESOLVED** to adopt the volunteer policy.

10. **EXEMPT ITEMS**

The following resolution will be **moved** that is advisable in the public interest that the public and press are excluded whilst the following exempt item issue is discussed.

a. **Confidential Report**

Members noted the confidential report.

b. **Town Clerk Update**

The Town Clerk gave an update.

c. **Business & Facilities Manager Bonus Scheme**

It was **RESOLVED** to delegate the production of a bonus framework to the Town Clerk which will be adopted after a meeting with the Business & Facilities Manager.

d. **NJC Greenbook**

Members had a discussion on the NJC Greenbook.

e. **Internship**

Members discussed the internship opportunities available.

f. **Employee Handbook**

It was **RESOLVED** to adopt the employee handbook with the suggested changes.

Pursuant to section 1(2) of the public bodies (Admission to Meetings) Act 1960 Council **resolve** to exclude the public and press by reason of the confidential nature of the business about to be transacted.



FLITWICK TOWN COUNCIL

Protection of Children and Vulnerable Adults Policy (June 2024)

1. Protection Policy Statement

Flitwick Town Council's duties and services do not often require supervision of children or vulnerable adults; however, these groups do use its facilities and at times its staff and members may be in a position where direct assistance is given. The Council is committed to protect children and vulnerable adults from harm. Staff and Councillors will accept and recognise their responsibilities to develop awareness of the issues which may cause harm to children or vulnerable adults.

It is acknowledged as a sensitive and difficult issue but one which must be addressed. For this reason, the Council will ensure there is a proportionate balance between civil liberties and safeguarding vulnerable groups, including children.

1.1 It will endeavor to safeguard children and vulnerable adults by:

- Stating that the welfare of children/vulnerable adults is paramount.
- Adopting child protection/vulnerable adult guidelines through an operational procedure for staff and members.
- Sharing information about child protection and good practice with children/vulnerable adults, and parents/guardians.
- Sharing information about concerns with agencies that need to know and involving parents/guardians and children/vulnerable adults where appropriate.
- Investigating and responding to all suspicions and allegations of abuse.
- Carefully following the procedures for recruitment and selection of staff and volunteers.
- Providing effective management for staff throughout supervision, support, and training.
- Providing suitable training for relevant staff and Councillors.

The Council's Child/Vulnerable Adult Protection policies and guidelines are there to be acted upon to protect staff and Councillors as well as children and vulnerable adults. Child/vulnerable adult abuse can and does occur outside the family setting and it is important to understand what to look for and how to react.

1.2 The Council is committed to regularly reviewing its policy and good practice guidelines.

2. Operating Procedures

The Council will maintain an Operating Procedure which includes sections on:

- The definition of abuse, including the four main areas of abuse; emotional, neglect, physical and sexual.
- Advice on how to recognise the symptoms of abuse.
- Understanding the consequences of abuse.
- How to react if a child/vulnerable adult says or indicates they are being abused.
- How to react to suspicions or allegations.
- What staff should do if they have concerns.
- A Nominated Officer to be responsible for dealing with issues of abuse or potential abuse.
- Undertaking Disclosure and Barring Service (DBS) checks where appropriate. If staff, members, or volunteers are to work in a regulated activity within the Council, the Council will carry out an enhanced DBS check and ensure they are not on the Barred List.
- How to keep essential records.
- How the Complaints Procedure and/or Disciplinary Procedure will be used to deal with complaints against staff or Councillors.
- How the potential to abuse children/vulnerable adults will be considered during recruitment and selection.

3. Flitwick Town Council's Standards

- 3.1 All staff, Councillors and volunteers must be DBS checked, if appropriate. If working within a regulated activity, the Council will carry out enhanced DBS checks and ensure they are not on the Barred List.
- 3.2 Officers on the Community Services Team will have an enhanced DBS and be placed on the 'live update system'. All other appropriate members of staff and volunteers will continue to have basic DBS checks, which will be renewed every 3 years.
- 3.3 On initial appointment, the Senior Management Team will seek references for volunteers is appropriate.
- 3.4 If the Council becomes aware or is informed of information from a reputable source (e.g., Police, Probation, NSPCC, Social Services etc.) that an individual is not suitable to be involved with a Council project, it has the right to stop the individual from having any further involvement in any Council Projects or Services.
- 3.5 A copy of the Child and Vulnerable Adult Protection Policy will be available for inspection at any of the Council's premises by parents, carers, etc.

- 3.6 The Town Clerk is appointed as the responsible officer for implementing the Council's Child & Vulnerable Adult Protection Policy.
- 3.7 The Town Clerk will report all incidents to the Council's insurers, where the project or service is covered by the Council's insurance policy.

4. Good Practice

The Council's activities and services do not generally require the direct supervision of children/vulnerable adults, however one possible future activity which may become a regulated activity under current legislation would be the administration of the Youth Committee. The following good practice will however be brought to the attention of all staff.

Promoting good practice can reduce the possibility of potentially abusive situations and help to protect staff, Councillors and volunteers. The following are more specific examples of care which should be taken when working within a Council context:

- Always be publicly open when working with children/vulnerable adults. Avoid situations where a single member of staff and an individual child/vulnerable adult are working unobserved.
- If any form of physical manual support is required, there should always be a second member of staff present or another responsible adult. Care is needed, as it is difficult to maintain hand positions when the child/vulnerable adult is constantly moving. Some parents/guardians are becoming increasingly sensitive about physical manual support and their views should always be carefully considered.
- Council staff should not get directly involved in supervising children/vulnerable adults, except in an emergency. This should otherwise be left to parents, guardians, or siblings or to the leaders of organisations.
- As a general rule it makes sense for staff/volunteers not to spend excessive amounts of time alone with children/vulnerable adults.

You should never:

- Engage in rough, physical, or sexually provocative games, including horseplay.
- Allow or engage in any form of inappropriate touching.
- Allow children/vulnerable adults to use inappropriate language.
- Make sexually suggestive comments to a child/vulnerable adult, even in fun.
- Allow allegations made by a child/vulnerable adult to go unchallenged, unrecorded, or not acted upon.
- Do things of a personal nature for children/vulnerable adults they can do for themselves.

It may in the case of an emergency (such as administering first aid) be necessary for staff to do things of a personal nature for children/vulnerable adults, particularly if they are young or have impairments. These tasks should only be carried out with the full consent of parents or person in charge and the children/vulnerable adults involved. You need to

be responsive to the child's/vulnerable adult's reactions - if a child is fully dependent upon you, talk with him/her about what you are doing, give choices where possible, particularly, if you are involved in any dressing or undressing, or where there is physical contact or lifting or assisting a child to carry out a particular activity.

If you accidentally hurt a child/vulnerable adult; they seem distressed in any manner; appear to be sexually aroused by your actions; or misunderstands or misinterprets something you have done, report any such incident as soon as possible to the Town Clerk or another colleague and make a brief written note of it. Parents/guardians or carers should be informed of the incident.

5. Legal Framework

5.1 Under the legal framework of the Children Act 1989 and 2004, Working Together to Safeguard Children 2023, and the Care Act 2014, the Council has specific duties to safeguard and promote the wellbeing of children, and adults.

5.2 The Childrens Act 2004

5.3 The Mental Capacity Act 2005 (MCA) is designed to protect and empower people who may lack the mental capacity to make their own decisions about their care and treatment. It applies to people aged 16 and over.

5.4 Flitwick Town Council must engage as appropriate in any reviews or information sharing in relation to the death of a child or vulnerable adult, as laid out in Chapter 5: Working Together to Safeguard Children 2023 and Section 43 and 44 of the Care Act 2014.

5.5 There are fundamental differences between the legislative framework for safeguarding for children and for adults, which recognise an adult's right to self-determination.

(operating procedure below) ↓



FLITWICK TOWN COUNCIL
OPERATING PROCEDURE

Child & Vulnerable Adult Protection	Doc No. OP 1
	Version of June 2024

Scope

To set out how the Council's Protection of Children and Vulnerable Adult Policy, will be implemented.

Responsible Persons

Town Clerk to oversee the implementation of the Policy.
All staff to work in accordance with the Procedure.

Related Documents

Volunteers Policy.
Child and Vulnerable Persons Policy.

Procedure

1. Staff must make themselves aware of the Council's Policy it will be reviewed and updated as necessary. Child/vulnerable adult abuse can and does occur outside the family setting and it is important to understand what to look for and how to react.
2. The Vetting & Barring Scheme (VBS) was established to help safeguard children and vulnerable adults as a result of the Bichard Enquiry, which followed the Soham Murders. The VBS was ordinarily delivered by a partnership between the Independent Safeguarding Authority (ISA) and the Criminal Records Bureau (CRB). The ISA made the barring decisions and the CRB was responsible for the application and monitoring elements of the scheme. The Scheme was designed to ensure that anyone who presents a known risk to vulnerable groups is prevented from working with them. The scheme meant that anyone who wanted to work or volunteer with children or vulnerable adults in 'Regulated Activity' would be required to be registered with the ISA.

Many thought the VBS, though well intentioned was a disproportionate response to the risk posed by a small minority of people and in 2010, the Coalition Government halted its implementation.

3. Under the Protection of Freedoms Act 2012, the national barring system is retained but reduced in scope. This is achieved by narrowing the definition of a "Regulated Activity" and by abolishing the concept of "controlled activity" which would have required registration under VBS for individuals who had lesser contact with vulnerable groups.
4. The Disclosure and Barring Service has now taken over the roles of both the ISA and CRB. Employers who engage barred individuals in "Regulated Activities" will still be

subject to criminal sanctions and the DBS must still be informed if somebody is dismissed or prevented from participating in “regulated activities” for posing a risk to a vulnerable group.

The new definition includes:

- Unsupervised activities: teaching, training, instructing, caring for or supervising children, or providing advice / guidance on well-being, or driving a vehicle only for children.
- Work for a limited range of establishments (‘specified places’), with opportunity for contact, for example schools, children's homes, childcare premises (but not work by supervised volunteers).

Work under the above is regulated activity only if done regularly. In this context, ‘regular’ means carried out by the same person frequently (once a week or more often), or on 4 or more days in a 30-day period.

- Relevant personal care, for example washing or dressing; or health care by or supervised by a professional, even if done once.
 - Registered childminding; and foster-carers.
5. To coincide with the introduction of the new definition, the Government issued separate guidance on the issues that organisations should take into account when deciding whether the level of supervision they can provide meets the statutory standard for what is classed as ‘supervised’. If it does, then activity that would otherwise be regulated, will not be regulated.

DBS certificates will only be sent to individuals and not to organisations. Organisations will be informed (or will be able to check using the online tracking service) whether the certificates are clear or not, but not sent the actual certificate. They will therefore need to decide if they want to see clear certificates, make arrangements to see certificates that contain information and check that they have been presented with a genuine certificate.

6. These requirements are now reflected in the Council’s Child and Vulnerable Adult Protection Policy and its Volunteers Policy. Also, in its Personnel Policies.
7. The services provided in the Councils parks are unlikely to come within the definition of Regulated Activities, because the Council is rarely involved in direct supervision of vulnerable groups. If a Youth Council or Youth Committee is commenced however, whether or not is a regulated activity will depend on the level and frequency of direct supervision by Council staff, Members or volunteers. Even if it is not, the Council is better protected, and it would be good practice if it made (DBS) checks for certain frontline staff, Members or volunteers.
8. It is intended that checks are made through an umbrella group such as Central Bedfordshire Council.
9. The Council provide internal training for all staff, Members and volunteers working with or likely to work with vulnerable groups, even if it is not in a Regulated Activity.
10. Only employers and licensing bodies can request a DBS check.
As an employer, we should only arrange a DBS check on a successful job applicant. We can withdraw a job offer if the results show anything that would make the applicant unsuitable.

Employers need to check the identity of a job applicant as part of a DBS check. You need to check the Disclosure and Barring Service Website for details.

11. The Town Clerk is responsible for ensuring DBS checks are undertaken for relevant staff and councillors.
12. The following good practice will be brought to the attention of all staff. Promoting good practice can reduce the possibility of potentially abusive situations and help to protect staff. The following are more specific examples of care which should be taken when working within a Council context:
 - Always be publicly open when working with children/vulnerable adults. Avoid situations where a single member of staff and an individual child/vulnerable adult are working unobserved.
 - If any form of physical manual support is required, there should always be a second member of staff present or another responsible adult. Care is needed, as it is difficult to maintain hand positions when the child/vulnerable adult is constantly moving. Some parents/guardians are becoming increasingly sensitive about physical manual support and their views should always be carefully considered.
 - Council staff should not get directly involved in supervising children/vulnerable adults except in an emergency situation. This should otherwise be left to parents, guardians or siblings or to the leaders of organisations.
 - As a general rule, it makes sense for staff/volunteers not to spend excessive amounts of time alone with children/vulnerable adults.

You should never:

- Engage in rough, physical or sexually provocative games, including horseplay.
- Allow or engage in any form of inappropriate touching.
- Allow children/vulnerable adults to use inappropriate language.
- Make sexually suggestive comments to a child/vulnerable adult, even in fun.
- Allow allegations made by a child/vulnerable adult to go unchallenged, unrecorded or not acted upon.
- Do things of a personal nature for children/vulnerable adults they can do for themselves.

It may in the case of an emergency be necessary for staff to do things of a personal nature for children/vulnerable adults, particularly if they are young or have impairments. These tasks should only be carried out with the full consent of parents or person in charge and the children/vulnerable adults involved. You need to be responsive to the child's/vulnerable adult's reactions - if a child is fully dependent upon you, talk with him/her about what you are doing, give choices where possible, particularly, if you are involved in any dressing or undressing, or where there is physical contact or lifting or assisting a child to carry out a particular activity.

If you accidentally hurt a child/vulnerable adult; he/she seems distressed in any manner; appears to be sexually aroused by your actions; or misunderstands or misinterprets something you have done, report any such incident as soon as possible to the Town Clerk or another colleague and make a brief written note of it. Parents/guardians or carers should be informed of the incident.

13. There are four main areas of abuse:

Emotional Abuse

Persistent lack of love and affection, where a child/vulnerable adult may be constantly shouted at, threatened, or taunted, may make the child/vulnerable adult nervous or

withdrawn. Emotional abuse may also occur if there is a constant overprotection, or there is neglect, physical or sexual abuse, e.g., emotional abuse could occur if children/vulnerable adults are constantly shouting at for not doing as they are told.

Neglect

Occurs when the child/vulnerable adult's basics need such as food, warmth, and adequate clothing are not provided, as well as a failure or refusal to give love, affection and attention. It can also occur when there is inadequate supervision, or the child/vulnerable adult is left alone.

Physical Abuse

Where adults physically hurt, or injure children/vulnerable adults by hitting, shaking, squeezing, burning, and biting or by giving them alcohol, inappropriate drugs, etc. An example of how physical abuse could take place is when excessive force is used to restrain a child or vulnerable adult.

Sexual Abuse

Some adults - both male and female - may seek to satisfy their own needs by abusing girls, boys and vulnerable adults. This could include full sexual intercourse, masturbation, oral sex, anal intercourse and fondling. Showing children/vulnerable adults' pornographic material is also a form of sexual abuse. An example of how sexual abuse could occur would be if adults show children/vulnerable adult's pornographic material on the Internet.

In a case of child/vulnerable adult abuse, abuse may involve or occur in one or more of the above categories. Staff are unlikely to encounter most of these, but an understanding will help them recognise signs.

14. Evidence that a child/vulnerable adult may be being abused includes:

- An unexplained or suspicious injury such as bruising, cut or burns, particularly if sustained on part of a body not prone to such injuries.
- An injury for which the explanation seems inconsistent. The child/vulnerable adult describes what appears to be an abusive act involving him/her.
- Unexplained changes in behavior e.g., becoming withdrawn or displaying sudden outbursts of temper.
- Inappropriate sexual awareness.
- Engaging in sexually explicit behavior.
- Distrust of adults, particularly those with whom a close relationship would normally be expected.
- Has difficulty in making friends.
- Does not socialize with other children.
- Displays variations in eating patterns including overeating or loss of appetite.
- Loss of weight for no apparent reason.
- Becoming increasingly dirty or unkempt.

It should be noted that this list is not exhaustive and the presence of one or more indicators does not prove that abuse is taking place. It is not the responsibility of those working for the Town Council decide that abuse is occurring to a child/vulnerable adult, but it is their responsibility to act on any concerns. The individual the Town Clerk who would contact the Social Services Access Team for advice and guidance.

15. Consequences of abuse

Abuse in all forms can affect a child of any age. It is so damaging that, if not tackled, it can affect an individual into adulthood. For example, an adult who has been abused as a child may

find it difficult or impossible to maintain a stable trusting relationship, and may become involved with drugs or prostitution, attempt suicide or even abuse a child.

The effects on disabled children/vulnerable adults may have an increasing impact on their lives, as these groups already suffer from many disadvantages.

There have been several studies which have shown disabled children are at an increased risk of abuse through factors such as stereotyping, prejudice, discrimination, isolation and an inability to protect themselves, or they may have difficulty communicating the fact that the abuse has occurred.

Children from ethnic minorities may in addition experience racial discrimination and be at additional risk.

16. If a child/vulnerable adult says or indicates that he/she is being abused or has been abused, the person receiving this information should:

- Contact Town Clerk who will contact Social Services Access Team.
- React calmly so not to frighten the child/vulnerable adult. Tell the child/vulnerable adult she/he is not to blame and that it is right to tell.
- Take what the child/vulnerable adult says seriously; recognising the difficulties inherent in interpreting what the child/ adult is implying.
- Keep questions to a minimum to ensure a clear and accurate understanding of what has been said, taking time to listen to the child/vulnerable adult without prompting. Do not interrogate.
- Reassure the child/vulnerable adult, but do not make promises of confidentiality that may not be kept in the light of subsequent developments.
- Make a full record of what has been said, heard and/or seen as soon as possible. Make clear distinction between fact and opinion. Record dates, times etc. accurately.

A child/vulnerable adult may wish to have a third-party friend or parent/guardian/carer present before they will offer any information. This should be encouraged. However, great care must be taken not to let the other person speak for the child/vulnerable adult especially where that person is the child's/vulnerable adult's parent/guardian or carer.

17. It is not the responsibility of anyone working within the Town Council to decide whether or not child/vulnerable adult abuse is taking place. However, there is a responsibility to protect children in order that the appropriate agencies can make inquiries and take the necessary action to protect the child/vulnerable adult.

18. The Social Services Access Team has a statutory duty under The Children Act 1989 and **children's Act 2004** to ensure the welfare of a child/vulnerable adult. When a child protection referral is made by staff, they have a legal duty to investigate. This may involve their talking to the child/vulnerable adult and family/guardian or carer and gathering information from other people who know the child/vulnerable adult. Their enquiries may be carried out jointly with the police.

19. What do you do if you have concern?

There are circumstances in which a child/vulnerable adult may be placed at a greater risk if such concerns are shared (e.g., where parent/guardian or carer may be responsible for the abuse or not able to respond to the situation appropriately). In these circumstances, or where concerns still exist, any suspicion, allegations or incident of abuse must be reported to the Town Clerk or most senior person available. They will contact the Access and Referral Hub at Central Bedfordshire Council.

Call 0300 300 8585 immediately.

Out of hours: 0300 300 8123

Email: cs.accessandreferral@centralbedfordshire.gov.uk

The Access & Referral Team will decide on how and when the parent/guardian or carers will be informed or if there is any police involvement required.

20. Records and information

Information passed on to Social Services must be as helpful as possible, hence the necessity of making detailed records. Information should include the following.

- The nature of the allegation.
- A description of any visible bruising or other injuries.
- The child/vulnerable adult's account, if given, of what happened and how any bruising or other injuries occurred.
- It may be of assistance to Social Services to provide them with any information you may have e.g. date of birth, names etc.

Wherever possible, referrals telephoned to the Social Services Access & Referral Team should be confirmed in writing within 24 hours. A record should be made of the name and designation of the Social Services Access Team member of staff to whom the concerns were passed, together with the time and date of any call, in case any follow up is needed.

21. Complaints against Staff /Volunteers

In the rare event of a complaint being made against a member of staff, the Town Clerk be advised of all circumstances immediately.

There may be circumstances where allegations are about poor practice rather than abuse. The Town Clerk should consult Social Services Access & Referral team for advice and guidance.

It is acknowledged that the discovery/suspicion that a member of staff is or may be abusing a child/vulnerable adult, will raise concerns among other staff who may find it difficult to report such matters. However, it is important that where there is concern for the welfare of a child/vulnerable adult action should be taken immediately. It will also protect a member of staff falsely accused.

The Town Council assures all staff that it would fully support and protect anyone who, in good faith, reports his or her concern that a colleague is or may be, abusing a child/vulnerable adult.

Where there is a complaint of abuse against a volunteer/member of staff there are 3 types of investigations.

- An internal disciplinary or misconduct investigation.
- A Social Services Access Team child/vulnerable adult protection investigation.
- A police criminal investigation.

The result of the Social Services (or police) investigation may influence the disciplinary investigation.

22. If the Council becomes aware or is informed of information from a reputable source (e.g. Police, NSPCC, Social Services etc.) that an individual is not suitable to be involved with a Council project, it has the right to stop the individual from having any further involvement in any Council projects or services.
23. The Town Clerk will report all incidents to the Council's insurers, where the project or service is covered by the insurance policy.