



AGENDA

HOUSING AND HEALTH COMMITTEE MEETING

Date: Tuesday, 7 March 2023

Time: 7.00 pm

Venue: Council Chamber, Swale House, East Street, Sittingbourne, ME10 3HT*

Membership:

Councillors Alastair Gould, Ann Hampshire, Angela Harrison (Vice-Chair), Ken Ingleton, Carole Jackson, Elliott Jayes, Ben J Martin (Chair), Lee McCall, Pete Neal, Richard Palmer, Ken Pugh, Bill Tatton, Ghlin Whelan, Mike Whiting and Corrie Woodford.

Quorum = 5

Pages

Information about this meeting

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2. Apologies for Absence

3. Declarations of Interest

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The Chair will ask Members if they have any disclosable pecuniary interests (DPIs) or disclosable non-pecuniary interests (DNPis) to declare in respect of items on the agenda. Members with a DPI in an item must leave the room for that item and may not participate in the debate or vote.

Aside from disclosable interests, where a fair-minded and informed observer would think there was a real possibility that a Member might be biased or predetermined on an item, the Member should declare this and leave the room while that item is considered.

Members who are in any doubt about interests, bias or predetermination should contact the monitoring officer for advice prior to the meeting.

4. Minutes

To approve the [Minutes](#) of the meeting held on 17 January 2023 (Minute Nos. 580 – 584) as a correct record.

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Issued on Monday, 27 February 2023

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**Chief Executive, Swale Borough Council,
Swale House, East Street, Sittingbourne, Kent, ME10 3HT**

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Housing and Health Committee	
Meeting Date	7 th March 2023
Report Title	Housing Allocations Policy Review and Temporary Suspension of Housing Register
EMT Lead	Emma Wiggins, Director of Regeneration and Neighbourhoods
Head of Service	Charlotte Hudson, Head of Housing and Communities
Lead Officer	Zoe Callaway
Key Decision	No
Classification	Open
Recommendations	<ol style="list-style-type: none"> 1. To agree that the current Housing Allocations Policy remains in place, based upon the review undertaken. 2. To note the temporary suspension of the Housing Register for one month and the arrangements put in place for vulnerable households.

1 Purpose of Report and Executive Summary

- 1.1 This report sets out the background to the Housing Allocations Policy and seeks approval for the current policy to remain in place. It also provides the committee with an update on the changes to the housing register software and impacts of the process during June 2023.

2 Background

Housing Allocations Policy Review

- 2.1 The current Allocations Policy was adopted in November 2020. Prior to this the Policy had last been amended in 2013. A review of the Policy has been conducted to ensure it is legally compliant and to ensure the changes implemented in 2020 had the intended impact.
- 2.2 The current Policy is still lawful in terms of statute, statutory guidance, and case law.
- 2.3 The Policy is being brought before Committee to review whether it has met the objectives set out when it was adopted. There were changes to both the qualification criteria and banding reasons.

- 2.4 The residency requirement was reduced to 2 years continuous residence. Employment in Swale was also included for all applicants regardless of tenure rather than just social housing tenants. There were concerns that this would result in an increased demand on the register. Based on applications at the time of the policy change it was estimated that this increase would be 11% of applicants who did not qualify under the 2013 Policy would qualify under the 2020 Policy. It was agreed that new applications would be assessed against both Policies to monitor the impact. For applications received between November 2020 and November 2022, 8% did not qualify under the 2013 Policy but did qualify under the 2020 Policy.
- 2.5 The 2013 Policy had resulted in an imbalance in distribution of applicants in the Bands which were at that time A to D.
- 2.6 To address the imbalance the 2020 Policy increased the banding priority for households with a main housing duty owed by Swale borough Council, households with disabled children who were lacking bedrooms and households who required a property that is or can be adapted using a Disabled Facilities Grant. These households were increased from Band C to Band B.
- 2.7 The change in qualification led to an increase which is just under the predicted percentage and was considered acceptable when recommending the 2020 Policy. No change to the qualification criteria is suggested at this review.
- 2.8 The increase in banding reasons in Band B has led to a more balanced register and more lets to households in the most housing need. No change to the banding reasons is suggested at this review.
- 2.9 The Policy will be continued to be reviewed in line with any changes in statute, statutory guidance and case law and brought back to committee should it require updating to reflect any changes in the future.

Temporary Suspension of Housing Register

- 2.10 Swale's housing register and housing option case management is managed through software procured by Kent Homechoice (KHC). KHC is a partnership of 13 Local Authorities, 28 Housing Associations and Kent County Council (KCC) set up to provide a Kent wide choice-based lettings system. The lead authority is Dover District Council (DDC).
- 2.11 The contract for the software that operates Kent Homechoice and our housing options system was due for renewal and DDC as lead authority have undertaken a procurement exercise to identify a new supplier for the software.
- 2.12 In July 2022 Cabinet at DCC approved the award of the contract for the Kent wide housing options system to Huume. This new contract was signed and put in place with Huume on 17th September 2022. The contract with our current system provider finishes at the end of July 2023. Work is progressing to have the new system in place ahead of this contract end date.

- 2.13 So that the housing register and housing options systems can be moved from the old system to the Huume system, it is necessary to temporarily suspend the housing register for a period of one month. To ensure the safe transfer of data and management of housing register requests.
- 2.14 Property adverts can be prepared on the Huume system from 16th June ready to be advertised on 1st July. This means that there will only be a two-week period where properties cannot be advertised.
- 2.15 If clients approach the housing register team and are considered to be vulnerable and in a high housing need, it will be possible for their applications to be added manually to the Huume system during the period that the housing register is closed.

3 Proposals

- 3.1 To agree that the current Housing Allocations Policy remains in place, based upon the review undertaken.
- 3.2 To note the temporary suspension of the Housing Register for one month and the arrangements put in place for vulnerable households.

4 Alternative Options

- 4.1 Changes are made to the Housing Allocations Policy; this is not recommended as the current policy review has concluded that it is legally compliant, and the changes made in 2020 have provided a more balanced register for those in the greatest housing need.

5 Consultation Undertaken or Proposed

- 5.1 None

6 Implications

Issue	Implications
Corporate Plan	Priority 1: Building the right homes in the right places and supporting quality jobs for all Priority 3: Tackling deprivation and creating equal opportunities for everyone
Financial, Resource and Property	The current housing register provides increase banding to those that the Council owes a main duty to, this enables more housing options to these clients and will directly impact the costs of Temporary Accommodation.

Legal, Statutory and Procurement	Statutory guidance and case law has been considered as part of the review process. The procurement of the new software has followed public procurement regulations by DDC as lead authority.
Crime and Disorder	None identified at this stage.
Environment and Climate/Ecological Emergency	None identified at this stage.
Health and Wellbeing	Health needs are considered as part of the housing register criteria.
Safeguarding of Children, Young People and Vulnerable Adults	None identified at this stage.
Risk Management and Health and Safety	None identified at this stage.
Equality and Diversity	Equality Impact Assessment was prepared for 2020 Policy. Support will be available to manually accept and input applications from high priority/vulnerable customers who need to apply to join the Housing Register during the period of temporary suspension.
Privacy and Data Protection	A joint Data Protection Impact Assessment has been completed for Kent and Medway Councils. The Data Protection Impact Assessment will ensure that the transfer of the housing register to a new provider will be compliant with the data protection principles and that any risks are mitigated. We will work with the existing and new provider to ensure that secure data migration takes place.

7 Appendices

7.1 The following documents are to be published with this report and form part of the report:

None

8 Background Papers

Housing Allocations Policy - [Microsoft Word - Allocations policy 2020 Final \(swale.gov.uk\)](https://www.swale.gov.uk)

Record of decision from Dover District Council to award contract of the Kent Homechoice and Housing Options system to Huume -

<https://moderngov.dover.gov.uk/ielIssueDetails.aspx?IId=23447&PlanId=0&Opt=3#A119907>

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Housing and Health Committee Meeting	
Meeting Date	7 th March 2023
Report Title	Health System in Kent
EMT Lead	Emma Wiggins, Director of Regeneration and Neighbourhoods
Head of Service	Charlotte Hudson, Head of Housing and Communities
Lead Officer	Zach Evans, Health and Wellbeing Officer
Classification	Open
Recommendations	1. To note the update provided on the new structure for health systems in Kent.

1 Purpose of Report and Executive Summary

- 1.1 This report provides the Housing and Health Committee with an update on the health system in Kent, since the national changes and move away from Clinical Commissioning Groups.

2 Background

- 2.1 Within Kent, we have a number of different health systems that form a pyramidal structure, joining in partnerships with other systems until an overarching board or system remains at the top. In The case of Kent and Medway, that system at the top of the pyramid is the Kent and Medway Integrated Care System, or Kent and Medway ICS.
- 2.2 The purpose of the ICS is to develop further working relationships between local and district councils and the NHS system in the region. This will allow for the improvement of services provided through collaborative working and feedback reporting of the local areas health needs by the councils to the NHS. The aim to deliver better and more tailor-made care for the region in which the ICS is responsible for.
- 2.3 Some of the priorities for the Kent and Medway ICS are:
- Giving children the best start in life and working to make sure they are not disadvantaged by where they live or their background and are free from fear or discrimination
 - Helping the most vulnerable and disadvantaged in society to improve their physical and mental health; with a focus on the social determinants of health and preventing people becoming ill in the first place
 - Helping people to manage their own health and wellbeing and be proactive partners in their care so they can live happy, independent and fulfilling lives; adding years to life and life to years

- Supporting people with multiple health conditions to be part of a team with health and care professionals working compassionately to improve their health and wellbeing
- Ensuring that when people need hospital services, most are available from people's nearest hospital; while providing centres of excellence for specialist care where that improves quality, safety and sustainability
- Making Kent and Medway a great place for our colleagues to live, work and learn.

2.4 An important aspect of the ICS is the Health and Care Partnership (HCP), which allows the NHS, Local Councils and the community at large (including Voluntary and Community Services) to work together to tackle the wider determinants of health, such as housing, education and employment in addition to examining and improving the health and wellbeing of all residents within their respective areas.



Within the Kent and Medway ICS there are 4 such HCPs:

1. Dartford, Gravesham and Swanley
2. East Kent
3. West Kent
4. Medway and Swale

2.5 Another important aspect of the ICS is the health and wellbeing board. The main purpose of this board is to develop Joint Strategic Needs Assessments (JSNAs) using research as a means to provide information about the health and care needs within Kent, as well as developing collaborative channels through which the HCPs are able to work effectively.

2.6 The Medway and Swale HCP (formerly known as the Integrated Care Partnership, or ICP) includes members from the Acute Hospital, mental health, community health and local councils, and serves the purpose of collaborative working in order to develop future interventions and services. Whilst the HCP is yet to be fully established, work is happening behind the scenes to develop this HCP to the point in which it may become future-proof.

2.7 One of the challenges within the health system in Swale is the difference between health options across the borough. With Sittingbourne and Sheppey being serviced by the Medway and Swale HCP, Faversham is serviced by the East Kent HCP. The East Kent HCP has largely the same functions as the Medway and Swale HCP, but due to the inclusion of the rest of East Kent, has different priorities and focuses than that of the Medway and Swale HCP, largely due in part to the difference in health needs across the areas.

2.8 There are a number of sub-groups within the wider Medway and Swale HCP, including but not limited to:

- District Councils Engagement Forum
- M&S VCS Framework
- Social Prescribing Partnership Meetings
- System wide Action Learning Set Meetings
- VCS task and Finish Group
- M&S HCP Engagement and Communications Group

2.9 This is in addition to sub-group meetings held by the KCC Whole Systems Obesity Approach (WSO) meetings, which largely feed into the HCP, due in part to the focus on both childhood obesity and childhood asthma.

2.10 The HCP allows for the various stakeholders across the health network area to come together and work collaboratively to develop a shared goal of a healthy now and a healthier future. It is important (and also highly recognised by both the HCP and the ICS) to remember that the interventions made now may not have an immediate effect on the health of the populace and may not have any effect seen for a few years at the very least. But neglecting the interventions now due to having no immediate, observable effect is short sighted and detrimental to the health of many in a few years' time.

3. Proposals

3.1 To note the update provided on the new structure for health systems in Kent.

4 Alternative Options

4.1 None

5 Consultation Undertaken or Proposed

5.1 None

6 Implications

Issue	Implications
Corporate Plan	3.2 Reduce health inequality by developing more productive relationships with local health partners and making health and wellbeing a central consideration in all relevant council decision-making, recognising especially the link between housing and health

Financial, Resource and Property	Officer resource to participate in the Health and Care Partnership system.
Legal, Statutory and Procurement	None
Crime and Disorder	None
Environment and Climate/Ecological Emergency	None
Health and Wellbeing	This is our method of involvement within the local health system for our residents.
Safeguarding of Children, Young People and Vulnerable Adults	None
Risk Management and Health and Safety	None
Equality and Diversity	None
Privacy and Data Protection	None

7 Appendices

None

8 Background Papers

None

Housing and Health Committee	
Meeting Date	7 th March 2023
Report Title	Temporary Accommodation Policy
EMT Lead	Emma Wiggins, Director of Regeneration and Neighbourhoods
Head of Service	Charlotte Hudson, Head of Housing and Communities
Lead Officer	Roxanne Sheppard, Housing Options Manager
Key Decision	No
Classification	Open
Recommendations	1. To agree to adopt the Temporary Accommodation Policy.

1 Purpose of Report and Executive Summary

- 1.1 This report sets out the background of the allocation and management of Temporary Accommodation in the borough. It seeks to formalise the current arrangements that have been in place.

2 Background

- 2.1 There is a statutory responsibility for the Council to provide TA to residents if they are homeless and are in priority need or at the relief stage 'reason to believe' they are in priority need. The number of households in TA at end of Q2 2022/23 was 394 in statutory provision. We have seen a significant increase in the number of households in TA, with an 89% increase since 2019. Swale has the highest level of TA amongst Kent districts.
- 2.2 As the Council does not have its own housing stock TA is currently spot purchased from a range of sources. 74% of placements were B&B and other nightly let accommodation, 22% Housing Association properties, the remaining is a mix of supported accommodation and SBC owned properties. The Council currently owns 3 properties that it purchased several years ago to assist with TA provision. At the January Committee it was agreed that we would purchase more of our own TA to provide more accommodation in the borough and be able to control costs and standards more.
- 2.3 The principles within the Policy have been custom and practice within the Housing Options team for a long period of time, however, we are looking to formalise these arrangements to provide greater transparency to residents that utilise the service. Making it clear how we prioritise allocation of longer-term TA and who would have preference to move back to the borough.

2.4 The other area which often causes confusion for clients is the rent contributions that they must make if they are not entitled to full housing benefit. They are also responsible for Council Tax and utility costs in self-contained accommodation.

3 Proposals

3.1 To agree to adopt the Temporary Accommodation Policy.

4 Alternative Options

4.1 To not adopt the Policy and continue with the current process. This is not recommended as by formally adopting the Policy it provides greater transparency to clients of the service.

5 Consultation Undertaken or Proposed

5.1 None

6 Implications

Issue	Implications
Corporate Plan	Priority 3: Tackling deprivation and creating equal opportunities for everyone
Financial, Resource and Property	There are no financial implications as the policy is adopting the current process operated by the team.
Legal, Statutory and Procurement	Provision of TA is a statutory responsibility for the Council to provide for eligible clients.
Crime and Disorder	None identified at this stage.
Environment and Climate/Ecological Emergency	None identified at this stage.
Health and Wellbeing	None identified at this stage.
Safeguarding of Children, Young People and Vulnerable Adults	None identified at this stage.
Risk Management and Health and Safety	None identified at this stage.

Equality and Diversity	None identified at this stage.
Privacy and Data Protection	None identified at this stage.

7 Appendices

7.1 The following documents are to be published with this report and form part of the report:

Appendix I – Temporary Accommodation Policy

8 Background Papers

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Swale Temporary Accommodation Policy

1. Introduction

1.1 The Council aims to work with households to prevent homelessness occurring wherever possible. However, in some instances this will not be possible and as a result some households will require temporary accommodation.

1.2 This policy sets out the councils' policy for the placement of homeless households in emergency and temporary accommodation, both within District or Borough, and outside of the placement authority area.

1.3 This Policy covers both interim placements made under Section 188 Housing Act 1996, during the relief duty and while homelessness enquires are undertaken, and longer-term temporary accommodation placements for households accepted as homeless under Section 193 of the Housing Act 1996. Within this document placements under both of these duties will be referred to as temporary accommodation placements.

2. Securing Temporary Accommodation resources

2.1 The Council where possible, try to secure suitable emergency and temporary accommodation within the Borough to allow a household to maintain their existing networks, such as employment, schooling, medical care and family and social support. However, due to the very limited supply of temporary accommodation, this may not always be possible.

3. Cost of Temporary Accommodation

3.1 Households placed in temporary accommodation will usually have to make a financial contribution towards their housing costs. This contribution may include:

- responsibility for utility bills and rent in self-contained temporary accommodation (the rental element may be covered by housing benefit if the client is eligible) or,
- a 'personal contribution' or 'service charge' recoverable by the Council which usually covers non-eligible accommodation charges.

3.2 If the tenant is not entitled to full housing benefit (HB), he/she will need to pay the difference between what they actually receive in HB and the maximum HB which would be paid if their income was less.

Example:

Placement is £350 per week

Maximum HB (as per subsidy rules) £150 per week

HB awarded as per tenant's finances £100 per week

Tenant would need to make up the difference between the £150 and the £100, ie £50 per week. Most cases are on full HB.

4. Making an accommodation placement

4.1 Homeless households who are accommodated under an interim duty (s.188 Housing Act 1996) will normally be offered short term self-contained accommodation while the Council fulfils their relief duty and enquiries are carried out.

4.2 The Council will seek to avoid placing families with children, pregnant women into bed and breakfast accommodation with shared facilities. In the unusual event that such a placement cannot be avoided, the household will be moved to self-contained emergency accommodation as soon as possible and within six weeks of initial placement.

4.3 In the case of any 16-17 year olds that are homeless and approach the Council, they will be referred to Kent County Council Children's Services and a joint assessment will be carried out under the Kent joint protocol, so that the most appropriate accommodation and support can be provided.

4.4 Homeless households placed in accommodation under an interim duty (s.188) are not protected under the Protection from Eviction Act 1977 and do not have security of tenure. Where the Council decides it does not owe the household a main housing duty, they will be notified and given a reasonable timescale to vacate, as detailed in their homelessness decision letter.

4.5 Homeless households who are placed in accommodation outside the borough, the placing Council will notify the area in which placement is made under s.208 of the Housing Act 1996. In addition, in relevant cases, they will notify the Violent and Sex Offender Register (VISOR) or equivalent in order to ensure public protection obligations are fulfilled. Consent to disclose relevant risk information to emergency or temporary accommodation providers will be obtained from Police or Probation or other relevant agency prior to placement, as appropriate.

4.6 Where emergency accommodation within the placing District or Borough is available, the Council will prioritise cases in accordance with section 7 of this policy for this accommodation.

4.7 Where accommodation is not available within the borough, the Council will look to neighbouring Council areas within Kent and Medway, and following this further afield.

4.8 As assessment of housing and support needs is carried out for all applicants which will identify any support needs and risks that the household presents with that may need to be taken into account in any temporary accommodation placement.

4.9 Households will be provided with information on how to access services and support in the area of placement.

4.10 Households assessed with known risks to themselves or others, such as history of offending, licence conditions, drug and alcohol use, mental or physical health may be placed outside of District or Borough due to the shortage of accommodation able to accommodate their needs.

5. Offers and refusals of accommodation

5.1 Homeless households will be made one offer of suitable interim or longer term temporary accommodation and will be asked to accept it straight away. There is no opportunity for households to view the accommodation offered under s.188 or under the Council's discretionary powers, prior to acceptance.

5.2 In making any offer of temporary accommodation, the needs, requirements and circumstances of each homeless household member will be considered, taking into account the factors set out in section 6 of this policy. All offers of temporary accommodation have regard to the Public Sector Equality Duty.

5.3 Where a homeless applicant refuses an offer of suitable temporary accommodation, or fail to take up occupation of the property, they will be asked for their reasons for refusal or non-occupation. The Council will consider the reasons and undertake further enquiries if necessary.

5.4 If the Council accepts the reasons for refusal and agree the offer was unsuitable, a further offer will be made.

5.5 If the Council does not accept the reasons for refusal, no further offer of temporary accommodation will be made and the homeless household will need to make their own arrangements. There is no right of appeal against the suitability of offers made under s.188 Housing Act 1996 (although judicial review can be applied for). For homeless households where the Council has accepted a housing duty under s.193 they can exercise their right to review the suitability, under s.202 within 21 days of being notified that the offer is suitable; after that time the only remedy is judicial review.

5.6 Homeless households who question the suitability of the temporary accommodation are advised to accept the offer of accommodation and pursue a review of the suitability of the accommodation whilst in occupation.

6. Factors affecting suitability of accommodation

6.1 The Council will take into account s.208 and s.210 of the Housing Act 1996, the Code of Guidance and relevant case law when determining the suitability of any offer of temporary accommodation. The accommodation must be suitable in relation to the homeless applicant and to all members of their household who normally reside with them, or who might reasonably be expected to reside with them. Through consideration of the following factors the Council will meet their obligations under the Equalities Act 2010 by showing due regard for an individual's medical condition and vulnerability. In determining this, the following factors will be considered:-

- i. *Whether suitable accommodation is available within the Borough* – if accommodation is available, homeless households will be accommodated within the area subject to section 7. However, given the shortage of short-term, temporary accommodation, it is inevitable that accommodation outside the Borough or County may be used.
- ii. *Size of the accommodation* – accommodation must provide adequate space standards for the household to inhabit. However, given the short term nature of the accommodation and lack of available housing at short notice, it is possible that a homeless household would be offered a placement with fewer bedrooms than a household would be entitled to on a permanent basis.
- iii. *Medical needs of the household/Physical needs* – consideration will be made in relation to the homeless applicant or resident member of the household's medical needs, such as ability to climb stairs, medical equipment required within the accommodation, care and support provided by other agencies and access to any specialist treatment only available locally. If the homeless applicant, or a member of the resident household identifies medical needs as an issue with any potential offer of temporary accommodation that were not identified at the point of initial application, the homeless applicant must provide medical evidence in support of this within 24 hours. The test applied by the Council with regards to medical needs is whether the condition makes the offer unsuitable.
- iv. *Education* – consideration will be given to the impact on schooling and travelling distance to the school. However, it is not considered unreasonable that children enrol in a school closer to the temporary accommodation. Pupils who are close to taking public examinations or those with specialist educational provision that is only available in a particular school, will be considered for temporary accommodation within or closest to the District (see section 7 below).
- v. *Care and Support*- consideration will be made in relation to the homeless applicant or any resident member of the household who is receiving care and support provided by other agencies and who made need to access local support/care services.
- vi. *Age and vulnerability* – consideration will be given to the age of the homeless applicant and their resident household members as well as any vulnerability (also see medical, care and support needs and risk of violence or harassment).
- vii. *Employment* – consideration will be given to the needs of applicants in paid employment who need to reach their place of work from any temporary accommodation within a reasonable commuting distance of less than 60 minutes.
- viii. *Proximity to services* – consideration will be made of the proximity to a school, public transport, primary care and other local services, to avoid isolation of the household. This does not extend to providing temporary accommodation in the applicants' chosen area to access preferred services.

ix. *Affordability* - In determining whether accommodation is suitable, the Council will take into account affordability and will consider:

- financial resources available to the homeless applicant; including salary, benefits, pensions and savings
- costs in respect of the accommodation; including rent, mortgage costs, service charges, council tax, any deposit and payments to an accommodation agency
- maintenance and child support payments
- reasonable living expenses.

x. *Risk of violence or harassment* - the Council will take into account any social considerations relating to the homeless applicant and their household that might affect the suitability of accommodation, including any risk of violence, racial or other harassment in a particular locality. Where domestic violence or abuse is involved, the Council will consider Refuge in the first instance.

xi. *Exceptional circumstances* – consideration will be made of any special circumstances submitted by the applicant that may impact on the suitability of the offer of temporary accommodation.

6.2 Assessments are made within the context of the accommodation available and limited options and resources available to the Council on the day of the applicant presenting as homeless.

7. Criteria for prioritising placements within the District or Borough

7.1 In the event that short term interim accommodation within the Borough is available to the Council, priority for such accommodation will be given to homeless households whose circumstances may include:-

- Applicants with children on the Child Protection register* or with significantly high or complex welfare needs where support can only be provided by statutory agencies within the placing District or Borough area.
- Households with a dependent child with an Education Health Care plan* who is receiving specialist education support within the placing District or Borough area and where this cannot be transferred to another school.
- Applicants with a diagnosed severe and enduring mental health issue* who is receiving regular psychiatric treatment within the within the placing District or Borough area and a transfer of care would severely impact on their wellbeing.
- Applicants who have been continuously employed within the placing District or Borough area* for a period of at least one year and for 16 or more hours a week. Women on maternity leave from employment meeting the same criteria would also be considered.
- Applicants who have a child within the household who are due to take public examinations* within the current school year, e.g. GCSEs, 'A' Levels or equivalent.
- Exceptional circumstances* – where a household's circumstances are particularly complex or significant vulnerabilities exist, to be considered on a case by case basis.

7.2 The above categories are not listed in priority order, nor is the list exhaustive. It may be considered that, following a detailed assessment of the household's circumstances, they should qualify for an offer of accommodation within the placing authority area, or outside it.

7.3 Given the shortage of temporary accommodation, it is inevitable that Councils will need to make decisions to prioritise the offer of particular temporary accommodation within their own areas. This means that prioritisation may occur, not just between those who fall within one or more of the priority groups set out above and those who do not, but between those households who fall within the priority groups.

7.4 The following circumstances will be taken into account by the Council when reaching decisions on prioritisation between households:

- Welfare and safeguarding of any children in the household
 - Level of special educational need
 - Risks posed by living in particular areas
 - The permanency or flexibility of employment
 - Access to transport, services, medical facilities, support, cultural or religious amenities
 - Impact on caring responsibilities
 - Affordability of the accommodation.
- 7.5 Where accommodation is available within the District or Borough's area and no priority groups require this accommodation, all other households, subject to suitability and risk assessment, will be considered for this accommodation.

8. Moving within temporary accommodation

8.1 Where it is considered that the household falls within a priority group for accommodation within the placing authority but no accommodation is available, the households will be placed in any location where there is availability on that day. This accommodation may be suitable in the

short-term but not the long-term. If the accommodation provided is deemed unsuitable in the longer term a household will be given priority to be transferred to alternative accommodation within the Council's area, or as close to it as possible, as soon as a more suitable unit becomes available.

8.2 It may be necessary to move homeless households to another temporary accommodation property to make best use of available resources.

8.3 Households will be required to move when requested. If the households refuses to move, this may result in the Council ending their duties.

9. Ending of temporary accommodation placements

9.1 The Council may end emergency/temporary accommodation for those placed under a relief duty, after informing the household in the following circumstances:

- Where a homeless applicant is found not to be in priority need, or is intentionally homeless
- Where it is accepted that the homeless applicant has 'deliberately and unreasonably refused to cooperate' with a step in the personalised housing plan
- If a homeless applicant rejects or doesn't move following a reasonable offer of accommodation
- Where the behaviour of the household results in loss of the emergency or temporary accommodation.

9.2 The household will be informed of the situation and the date that the placement will end so that they can make alternative arrangements. If there are children in the household the Council will notify Kent County Council's Children's Services for assistance under Section 17 Children Act 1989.

10. Breaches of licence conditions

10.1 The household will have been notified about the consequences of breaching the terms of their placement, at the beginning of the placement.

10.2 In the event of a breach of the terms of placement, the placing authority will issue a verbal and written final warning to the applicant or a member of their household. If this is the first breach and not of the most serious nature then the placement (or an alternative placement) will not be ended but a final warning will be given explaining that a further breach will result in the termination of the placement. If following a final warning, a further breach is committed, the placement will be terminated and any duty or discretionary power offered by the Council is likely to end.

10.3 If the household's behaviour is extreme (e.g. violence), the placement may be ended immediately. If the placement is terminated any duty or discretionary power offered by the Council will then be ended.

11. Pets

11.1 The Councils do not have a duty to accommodate pets and are usually not able to accommodate pets within emergency or temporary accommodation. Applicants will need to make alternative arrangements for any pets whilst they are in such accommodation and the placing Council will discuss these options with them.

11.2 The Council can help place dogs and cats in kennels and catteries. Applicants are liable for the cost of accommodating pets, and will need to ensure the pet/s are vaccinated, neutered, wormed and de-fleaed.

11.3 There is no provision for accommodating non-domestic pets, but support will be provided to access appropriate re-homing options.

12. Data Protection and Information Sharing

12.1 Applicants' privacy is protected and the Council's party to this policy will only use and store personal data in line with the General Data Protection Regulation 2016 and the Data Protection Act 2018.

12.2 The information provided by the customer will be always treated confidentially. Security safeguards apply to both manual and electronically held data and only relevant staff can access this information. As a data controller, each Council has a responsibility to make sure the applicant knows why and how their personal information is being used in accordance with relevant data protection laws.

12.3 The Councils will only use the applicant's personal data for the purposes for which it is collected, unless it is reasonably considered that we will need to use it for another legitimate reason and that reason is compatible with the original purpose. If personal data is used for an unrelated purpose, the placing Council will notify the applicant and explain the legal basis for doing so. Processing personal data without the applicant's knowledge or consent, where this is required or permitted by law, may be done.

13. Performance Monitoring and Review

13.1 The Policy will be monitored and reviewed on an annual basis and updated as required, for example due to changes in legislation, guidance or case law.

13.2 Monitoring will include, the numbers of applicants placed in temporary accommodation within and outside the District or Borough.

Housing and Health Committee Meeting	
Meeting Date	7 th March 2023
Report Title	Swale Community Safety Strategic Assessment
EMT Lead	Emma Wiggins, Director of Regeneration and Neighbourhoods
Head of Service	Charlotte Hudson, Head of Housing and Communities
Lead Officer	Stephanie Curtis, Community Safety Manager
Classification	Open
Recommendations	1. For the Housing and Health Committee to approve this refreshed Safeguarding Policy for 2023

1 Purpose of Report and Executive Summary

- 1.1 This report summarises the amendments that are proposed to be made to the Safeguarding Policy and asks that the Housing and Health Committee agree the revisions made.

2 Background

- 2.1 The Safeguarding Policy was last revised in December 2021 and is subject to an annual review to ensure that it reflects any legislative or procedural changes. There was a slight delay to this year's review whilst we awaited the outcome of an external audit by the Kent Safeguarding Children Multi-Agency Partnership (KCSMP) as this, along with an audit earlier in the year by the Kent and Medway Safeguarding Adults Board (KMSAB) has resulted in a couple of changes to the policy.
- 2.2 The main amendments that have been made to the previous version of the Safeguarding Policy and summarised below:
- The Foreword, if felt still needed, to be amended to reflect wording from the Chair of the Housing and Health Committee rather than previous Cabinet Member.
 - Legal duties within section 3 updated to reflect the enactment of the Police, Crime Sentencing and Courts Act 2022 and the Serious Violence Duty placed upon responsible authorities.
 - Within Section 4 (Policy Position):
 - Section 4.3 (Scope) has been amended to reference the additional Domestic Abuse policies and procedures that are being created.

- Section 4.4 (safeguarding roles, responsibilities and governance) has been amended to reflect officer role changes and the replacement of the portfolio holder reference to the Housing and Health Committee.
- Section 4.4.1 Level 2 Safeguarding Role has been split into 2a and 2b – this is to enable Housing options staff to be recommended to complete some additional training that may not be suitable for other agreed level 2 roles.
- Within Section 5 (Procedures):
 - Types of abuse has been extended (section 5.1.2)
 - Sections 5.1.3 to 5.1.6 have been added to provide extra clarity about recognition of types of abuse.
 - Section 5.6 has been created as a stand-alone type of concern (previously referenced as part of 5.2) to ensure that how to respond to self-neglect is made clearer. Appendix 2 has also been added which is a fact sheet regarding the Council's response for Self-Neglect cases.
 - Section 5.7 has been amended to emphasise the importance of recording decisions regarding consent, capacity and the wishes of any adults at risk.
 - Sections 5.8, 5.9 and 5.10 have been added following a recommendation by the external audit by the KMSAB. These discuss consent, Making Safeguarding Personal and Capacity and how these must be considered as part of our safeguarding response.
- Section 8 (escalating concerns and case reviews) has been amended to include details of the KCSMP escalation process as these were previously omitted.
- Section 10 (Safeguarding Partnership Boards) has been extended with some further information in relation to the KCSMP and KMSAB.
- Section 11 (Safeguarding contacts) has been updated with current contact details as appropriate.
- Section 12 (Safeguarding Training) has been amended as follows:
 - The training table has been split to show the difference in training required for Level 2a and Level 2b (housing options) staff. This reflects that Housing options team would benefit from some of the advisory training sessions that may not be appropriate for some of the 2a staff, as well as further mandatory training around domestic abuse
 - A number of advisory training sessions have been added for Level 1, Level 2 and 3 roles.
 - Additional mandatory sessions for Level 3 staff have been added.
 - No changes have been made for Level 0 and Level 4 staff.
 - The wording around compliance for training has also been strengthened.
 - Training required for new starters has also been included.
- Appendix 1 (Case Standards) have seen some minor operational amendments.

- Appendix 2 (Self-Neglect Fact Sheet) has been developed and added to the Policy.
- Various changes to job titles of those within the safeguarding team as appropriate

3 Proposals

- 3.1 For the Housing and Health Committee to approve this refreshed Safeguarding Policy for 2023

4 Alternative Options

- 4.1 That the Safeguarding Policy is not revised. This is not recommended as although the current Policy is largely accurate in relation to legislative requirements, it is not complete; and a number of recommendations were made by internal and external audits for inclusion within the policy

5 Consultation Undertaken or Proposed

- 5.1 Consultation has taken place with team managers, of those teams that identify the greater number of safeguarding concerns.

6 Implications

Issue	Implications
Corporate Plan	This policy refresh will contribute to the corporate priority 3 to tackle deprivation and create equal opportunities for everyone
Financial, Resource and Property	<p>Existing staff are in place (1 FTE Community Safety Manager; 1 FTE ASB and Vulnerability Team Leader; and 1 FTE Safeguarding Officer) to manage the implementation of this policy.</p> <p>In order to deliver the proposed staff training plan, there is a financial cost for some sessions, however these are met through existing corporate training budgets or by contributions already made to the Safeguarding Partnerships.</p>
Legal, Statutory and Procurement	<p>The Children Act 1989 states that the child's welfare is paramount and that every child has a right to protection from abuse, neglect and exploitation. The Children Act 2004 specifies the statutory guidance relating to Swale Borough Council under this agenda.</p> <p>The Safeguarding Policy also highlights other legislation relating to this agenda and requirements upon the Council including The Care Act 2014, Counter Terrorism Act 2015; Modern Slavery Act 2015;</p>

	Domestic Abuse Act 2021; and more recently the Police, Crime Sentencing and Courts Act 2022
Crime and Disorder	Through the implementation of the Safeguarding Policy and addressing safeguarding concerns of vulnerable individuals, there will naturally be some cases where the individual is also supported to address crime and anti-social behavioural issues, through referrals and information sharing with other agencies.
Environment and Climate/Ecological Emergency	No air quality, or climate/ecological emergency implications have been identified at this stage.
Health and Wellbeing	The Safeguarding Policy will ensure that the Council responds appropriately to safeguard children and vulnerable adults. This also extends to welfare concerns that may not have met the thresholds for referrals to statutory services, but by addressing the needs identified, improves the community's health and wellbeing.
Safeguarding of Children, Young People and Vulnerable Adults	This revised Safeguarding Policy details the Council's response to Safeguarding and the process by which it should be managed.
Risk Management and Health and Safety	Safeguarding has in the past been one of the risks identified in the corporate risk register, but due to the levels of controls in place as identified by this Policy is now only within the Housing and Communities Service Plan Risk Register.
Equality and Diversity	No specific equality and diversity implications have been identified at this stage. All safeguarding concerns are handled in an appropriate manner for the case in question.
Privacy and Data Protection	The safeguarding database 'My Concern' referenced within the Policy as part of the recording process, has a high level of security – all users must be approved by the safeguarding team and given an appropriate level of access. All referrals can also securely be saved here and case notes. Section 4.4.11 of the policy discusses information sharing.

7 Appendices

- 7.1 The following documents are to be published with this report and form part of the report:
- Appendix I: Draft Swale Borough Council Safeguarding Policy 2023

8 Background Papers

None.

Safeguarding Policy

March 2023 Review

Foreword

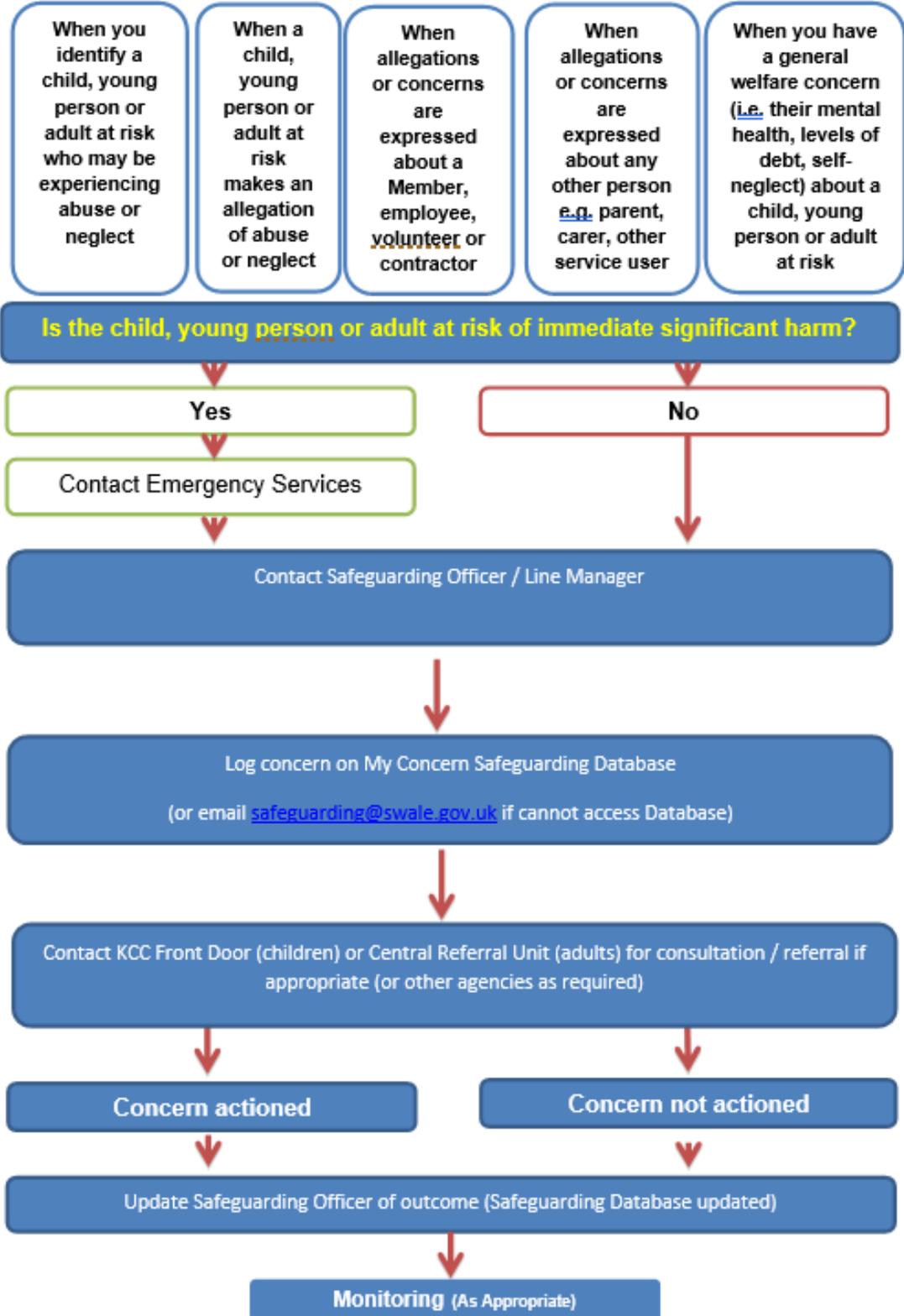


Ensuring that the most vulnerable in our community are protected is something which is the responsibility of us all. This policy provides essential information about how we will deal with concerns about the safety of a vulnerable child and adult. This policy also sets out clearly how we will work with others and support people to report abuse or concerns. It also ensures that, through training and review of our policies, the council will always work in a way which promotes safeguarding and tackles any form of abuse of vulnerable people

Larissa Reed, Chief Executive, Swale Borough Council

To be inserted from Chair of Housing and Health Committee

Safeguarding 'Quick View' Procedure



1. Introduction

Safeguarding is 'everyone's business'. This policy sets out Swale Borough Council's (SBC) responsibilities under the Children Act 2004, Care Act 2014 and other legislation to ensure children, young people and adults at risk are kept safe from harm.

2. Purpose

2.1 The purpose of this policy and the associated procedures are to protect and promote the welfare of the children, young people and adults using or receiving services provided or commissioned by SBC. The policy also aims to support the Council, its officers, elected members and volunteers in fulfilling their statutory responsibilities. Swale Borough Council is not a Children's Services Authority and it is not the role of the Council to investigate allegations of abuse. However, all Elected Members, employees, volunteers and contracted services providers have a clear responsibility to take action when they suspect or recognise that a child, young person or adult at risk may be a victim of significant harm or abuse.

2.2 This policy demonstrates how SBC will meet its legal obligations and reassure members of the public, service users, Members, employees, volunteers and those working on behalf of the Council as to:

- a) What they can expect SBC to do to protect and safeguard children, young people and adults at risk;
- b) That they are able to safely voice any concerns through an established procedure;
- c) That all reports of abuse or potential abuse are dealt with in a serious and effective manner;
- d) That they can raise even a basic welfare concern for a child or adult and that appropriate action will be taken;
- e) That there is an efficient recording and monitoring system in place;
- f) That Members, employees, volunteers and contractors receive appropriate training;
- g) That robust 'safer' recruitment procedures are in place.

3. Legal Duties

3.1 The Children Act 1989 states that the child's welfare is paramount and that every child has a right to protection from abuse, neglect and exploitation. Statutory guidance on making arrangements to safeguard and promote the welfare of children under Section 10, 11 and 13 of the Children Act 2004 and specifies what is required of SBC. This includes:

- Senior management commitment to the importance of safeguarding and promoting children's welfare;
- A clear statement of the Council's responsibilities to children, available to staff;
- Clear lines of accountability for work on safeguarding and promoting well being;
- Using the views of children and young people to help shape services;

- Safer recruitment procedures for those coming into contact with children and young people;
 - Appropriate training for staff;
 - A duty to promote inter-agency cooperation between named agencies, including district councils;
 - Representation on, and participation in, local safeguarding children's boards;
 - Effective working relations within the Council and with other agencies to safeguard and promote well-being and to share information effectively.
- 3.2** Under the Children Act 2004 and Working Together to Safeguard Children 2018, SBC has a duty to co-operate with Kent County Council (KCC) in discharging its duties as a Children's Services Authority and to promote the well-being of children and young people.
- 3.3** KCC is the lead agency for the protection of adults at risk. SBC is committed to working in partnership with KCC in delivering their responsibilities around Safeguarding Adults.
- 3.4** SBC must carry out its responsibilities by ensuring that the needs and interests of children, young people and adults at risk are considered by all Members, employees, volunteers and contracted services, when taking decisions in relation to service provision.
- 3.5** SBC policies and procedures are governed by The Care Act 2014 that provides the legal framework for how local authorities (in this case Kent County Council) and other parts of the system such as relevant partners (which includes SBC as a district council) should protect adults at risk of abuse or neglect. SBC has a duty to co-operate with KCC in the exercise of:
- (a) their respective functions relating to adults with needs for care and support
 - (b) their respective functions relating to carers, and
 - (c) functions of theirs the exercise of which is relevant to functions referred to in paragraph (a) or (b).
- 3.6** The Counter-Terrorism Act 2015 dictates that local authorities are vital to the Prevent work which exists to reduce the risk of people being drawn into terrorism. Local authorities must use counter-terrorism local profiles (CTLPs) for SBC must be used to assess the risk of individuals being drawn into terrorism. SBC must incorporate the duty into existing policies and procedures to fulfil safeguarding responsibilities ensuring there are clear and robust policies to identify and safeguard children at risk. Furthermore SBC must develop a Prevent action plan should there be a risk to identify interventions to be actioned. SBC must also ensure that appropriate frontline staff, including those of its contractors, have a good understanding of Prevent and are trained to recognise vulnerability to being drawn into terrorism and are aware of available programmes to deal with the issue. The Community Safety Plan is utilised to ensure a consistent response to Prevent is provided across local partner agencies and that this duty is met by SBC.

- 3.7** Under the Modern Slavery Act 2015 SBC has a statutory duty to report and provide notification to the National Crime Agency about any potential victims of modern slavery or trafficking that we encounter. Adult victims are able to remain anonymous should they wish to do so. SBC are under a duty to co-operate with the Commissioner.
- 3.8** The Domestic Abuse Act 2021 had placed a number of additional duties on Swale Borough Council that must be considered within our safeguarding response. These include:
- The definition of Domestic Abuse has been changed to cover those ‘personally connected’;
 - Children are now to be seen as a victim of Domestic Abuse in their own right, if they hear or experience the effects of the abuse and should be able to access support;
 - Appropriate priority will be given to victims of Domestic Abuse and like for like lifetime tenancies will be upheld. Victims should not find that their tenure is affected by fleeing Domestic Abuse;
 - The individual fleeing DA should be offered safe accommodation or at the choice of the victim to remain in their own home have access to the sanctuary scheme and local support;
 - It is recognised that many people will wish to flee with animals, and will try to accommodate needs or look for solutions;
 - That there should be promotion of the one stop shops and local support groups and services;
 - Swale BC must contribute to the local partnership board and creation of a local needs assessment.
- 3.9** Section 68 of the Care Act 2014 requires that the Local Authority (upper tier authority) must arrange for an independent advocate to represent and support an adult who is the subject of a safeguarding enquiry or review, where the adult has ‘substantial difficulty’ in being involved in the process and where there is no other ‘appropriate person’ to represent them. For Swale Borough Council, although this duty does not apply directly to us, officers must have due regard to this need and ensure that appropriate signposting can take place to advocacy services as required.
- 3.10** Under the Care Act 2014, a carer is an individual who provides or intends to provide care for another adult. If a carer has any level of needs for support, they are entitled to a carer’s assessment, which would be conducted by Kent County Council. Swale Borough Council must have due regard for the needs of carers and make a referral for a needs assessment, as required.
- 3.11** The Children and Social Work Act 2017 places a number of duties on housing authorities to work jointly with a children’s services authorities in relation to housing of care leavers. All young people need to have safe and appropriate accommodation to meet their needs, with planned supportive transitions to independent living. Any homelessness risks should be identified and acted upon at an early stage.

3.12 The Police, Crime Sentencing and Courts Act 2022 received royal assent in April 2022. Part 2 of the PCSC Act creates a requirement for specified authorities to collaborate and plan to reduce or prevent serious violence. Statutory guidance was issued in December 2022 and provides details on the expectations on the Serious Violence Duty. For Swale Borough Council, this duty will be discharged mainly through its cooperation with the Swale Community Safety Partnership. However, If any victims of serious violence are identified through the safeguarding processes, appropriate referrals will be made to support agencies.

4. Policy Position

4.1 Principles

SBC believes Safeguarding is committed to the following principles for children, young people and adults at risk:

- Their welfare is paramount;
- Whatever their background and culture, parental or pregnancy status, age, disability, gender, racial origin, religious belief, sexual orientation and/or gender identity, they have the right to participate in society in an environment which is safe and free from violence, fear, abuse, bullying and discrimination;
- They have the right to be protected from harm, exploitation, abuse, and to be provided with safe environments to live and play;
- Working in partnership with them, alongside their parents or carers and other agencies, is essential to the promotion of their welfare.

4.2 Policy Statement

SBC is committed to safeguarding children, young people and adults at risk from abuse when they are engaged in services organised and provided by, or on behalf of, the Council. The Council will:

- a) Endeavour to keep residents and service users safe from abuse. Suspicion of abuse will be responded to promptly and appropriately. We will always act in the best interests of the child, young person or adults at risk;
- b) Proactively seek to promote the welfare and protection of all children, young people and adults at risk living in Swale at all times;
- c) Ensure that unsuitable people are prevented from working with children, young people and adults at risk through robust 'safer recruitment' procedures;
- d) Deal with any concern raised by a Member, employee, volunteer, contracted service provider, or member of the public appropriately and sensitively;
- e) Any Safeguarding referrals made by a Member, employee, volunteer or contracted service provider cannot be anonymous and should be made in the knowledge that, during the course of enquiries, the referrers may be required as prosecution witnesses;
- f) Not tolerate harassment of any Member, employee, volunteer, contracted service provider or child, young person or vulnerable adult who raises concerns of abuse or neglect;

- g) Work in co-operation with KCC as required under the Children Act 2004 and the Care Act 2014 to make appropriate changes and amendments to improve the Council's safeguarding policies and procedures as recommended by Adult and Child Safeguarding Partnership Boards;
- h) Prevent abuse by using good practice to create a safe and healthy environment and avoid situations where abuse or allegations of abuse could occur;

4.3 Scope

4.3.1 This policy covers all Members, employees and volunteers at SBC, including contracted service providers

4.3.2 While Members, employees, volunteers and contracted services providers are likely to have varied levels of contact with children, young people and adults at risk as part of their duties and responsibilities for the Council, everyone should be aware of the potential indicators of abuse and neglect and be clear about what to do if they have concerns. Responsibilities are limited and it is important to remember the following:

IT IS NOT THE RESPONSIBILITY OF ANY SBC MEMBER, EMPLOYEE, VOLUNTEER OR CONTRACTED SERVICE PROVIDER TO DETERMINE WHETHER ABUSE IS ACTUALLY TAKING PLACE

HOWEVER:

IT IS THE RESPONSIBILITY OF THE MEMBER, EMPLOYEE, VOLUNTEER OR CONTRACTED SERVICE PROVIDER TO TAKE THE ACTIONS SET OUT IN THE PROCEDURE, IF THEY ARE CONCERNED ABUSE MAYBE TAKING

4.3.3 Domestic Abuse Policy, Staff Policy and procedures

Separate Domestic Abuse policies and procedures are currently being created and outline the Council's response specifically for members of the public, or staff, affected by domestic abuse. Although in the main responses to disclosure of domestic abuse will be in line with this Policy, these separate documents must be referred to.

4.4 Safeguarding Roles, Responsibilities and Governance in SBC

4.4.1 SBC offers a range of training dependent on the role. Safeguarding training offered ranges from basic awareness training via Elms E-Learning, to more in depth training provided through the Safeguarding Boards or other external training providers. Staff at SBC are assigned a role category which determines the level of Safeguarding training required. Below are the categories of staff roles. All staff will be advised of the required safeguarding training for their level by the Safeguarding leads, as agreed with Senior Management Team. This training plan is shown in Appendix I.

0 – No contact with children/young people/adults at risk and/or parents/carers;

1 – Limited contact with children/young people/adults at risk/ and/or parents/carers-no unsupervised contact;

2a – Regular contact with children/young people/adults at risk and/or parents/carers or any unsupervised contact (Private Sector Housing Team, Environmental Response Team, some Open Spaces team and other roles as agreed by Safeguarding Officers)

2b - Regular contact with children/young people/adults at risk and/or parents/carers or any unsupervised contact (within the Housing Options team)

3 – Professional advisers and designated leads for children’s and/or adults at risk safeguarding irrespective of the level of contact with children/young people/adults at risk and/or parents/carers.

4 - Strategic responsibility for safeguarding children and/or adults at risk for the organisation irrespective of the level of contact with children/young people/adults at risk and/or parents/carers.

4.4.2 Chief Executive or Officer from the Strategic Management Team (SMT)

The Chief Executive and SMT are responsible for ensuring that this policy and related procedures are implemented, monitored and consistently reviewed.

4.4.3 Housing and Health Committee

The Housing and Health Committee is responsible for ensuring the implementation, consistent monitoring and improvements of the Safeguarding Policy and related procedures.

4.4.4 Community Safety Manager

The Community Safety Manager is responsible on behalf of the Head of Housing and Community Services for implementing this policy and procedures and ensuring regular monitoring.

4.4.5 ASB and Vulnerability Team Leader

The ASB and Vulnerability Team Leader is responsible for the day-to-day oversight of the Safeguarding officer’s and their response to safeguarding concerns.

4.4.6 Safeguarding Officer

The Safeguarding Officer is responsible for dealing with reports or concerns about the protection of children, young people and adults at risk appropriately and in accordance with the procedures that underpin this policy.

4.4.7 All Heads of Service must ensure that appropriate employees are subject to Disclosure and Barring Service checks and that their staff members comply with this policy and the related procedures.

4.4.8 All Service Managers (and Contract Managers responsible for contracted service providers) are responsible for ensuring that employees follow this policy and its related procedures and receive the safeguarding training and support they need, in line with their responsibilities and level of contact with children, young people and adults at risk.

4.4.9 All Members, employees and volunteers are responsible for carrying out their duties in a way that actively safeguards and promotes the welfare of children, young people and adults at risk. They must also act in a way that protects them from wrongful allegations of abuse as far as possible. They must bring safeguarding concerns to the attention of the Safeguarding Officer.

4.4.10 Contractors, sub-contractors or other organisations funded by or on behalf of the Council are responsible for applying the correct safeguarding procedures. Please see section 9 of this policy for more information.

4.4.11 Information sharing is vital to safeguarding and promoting the welfare of children and adults at risk. The lawful basis for processing most safeguarding-related personal data will usually be ‘public task’ or ‘legal obligation’, and the consent of the data subject is therefore not necessary. Information which is relevant to safeguarding will sometimes be ‘special category’ data, meaning it is particularly sensitive and therefore subject to more stringent restrictions. The Data Protection Act 2018 allows special category personal data to be processed without the consent of a child or an at-risk adult for the purpose of protecting their wellbeing or preventing harm to them, as long as the processing is necessary for reasons of substantial public interest and their consent cannot reasonably be obtained.

5. Safeguarding Procedures

5.1 Types of Concerns

5.1.1 The procedure for reporting a concern or allegation informs all SBC Members, employees, volunteers and those contracted service providers that have accepted this policy, of what actions they should take if they have concerns or suspicions, or encounter a case of abuse or neglect in any child, young person or adult at risk.

Even for those experienced in working with child or adult abuse it is not always easy to recognise a situation where abuse may occur or already has taken place. Whilst it is accepted that staff are not experts at such recognition all staff have a duty to act if they have any concerns and discuss with an appropriate Safeguarding representative within SBC.

5.1.2 Abuse is a form of maltreatment that can occur in several forms as shown below:

For children, types of abuse include: Physical Psychological Sexual Grooming	Types of adult abuse include: Physical Sexual Psychological
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Child Sexual and/or Criminal Exploitation Female Genital Mutilation Online Abuse/Cyberbullying/Bullying Child Trafficking/Modern Slavery Domestic Abuse, Self-neglect/Self-injurious Forced Marriage	Discrimination Exploitation Financial Organisational Domestic Abuse, including Adolescent Parent Violence Self-neglect/Self-injurious Modern slavery/Human trafficking Neglect and acts of Omission Female Genital Mutilation Inappropriate Restraint
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- 5.1.3 It is important to note that these types of abuse are not mutually exclusive, and many different categories of concern may be occurring at the same time.
- 5.1.4 Many types of abuse might not be obvious and will require a level of professional curiosity to understand what is occurring within a household.
- 5.1.5 With an increasingly diverse community within the Borough, there is also a need to ensure greater awareness of different cultures and possible abuse that can occur within these, along with ensuring an appropriate response can be put into place.
- 5.1.6 There are a number of other concerns that may need to be flagged specifically related to children. This may include children that are missing, being home schooled, or private fostering arrangements have been put into place. Advice should be taken from safeguarding officers if there are any concerns regarding these types of concerns.

There are five main situations when Members, employees, volunteers and contracted service providers may need to respond and report a concern or case of alleged or suspected abuse. These are set out below:

5.2 When you identify a child, young person or adult at risk who may be experiencing abuse or neglect, you should:

- Stay calm and try to get another witness, if it does not compromise the situation;
- If you believe the person is ‘at risk’ of immediate significant harm, which includes situations which any Member, employee or volunteer would reasonably believe requires the emergency services, then you must contact the relevant emergency service and notify the Safeguarding Officer, Line Manager or Head of Service;
- Immediately report to and inform the Safeguarding Officer, Line Manager or Head of Service (as appropriate and where possible);
- Record all details you are aware of and log your concern, as soon as possible, on the My Concern Database (Safeguarding Database). If you are not registered on the Database, please email your concern to safeguarding@swale.gov.uk

- Consultation with the Kent Front Door (Children Social Services) or Central Referral Unit (Adult social services) and/or referral to be made and recorded with support from the Safeguarding Officer /Line Manager.
- Outcome of the consultation/referral to be recorded on the Safeguarding Database.

5.3 When a child, young person or adult at risk makes an allegation of abuse or bullying, you should:

- Stay calm and try to get another witness, if it does not compromise the situation;
- If you believe the person is 'at risk' of immediate significant harm, which includes situations which any Member, employee or volunteer would reasonably believe requires the emergency services, then you must contact the relevant emergency service and notify the Safeguarding Officer, Line Manager or Head of Service;
- Listen carefully to what is said and allow the person to talk at their own pace, being careful not to compromise potential evidence;
- Find an appropriate opportunity to explain it is likely that information will need to be shared with other responsible people, do not promise to keep secrets;
- Only ask questions for clarification, the use of open questions e.g. what, where, when, who? is advisable, do not ask leading questions (that suggest certain answers as this could compromise evidence);
- Reassure the child, young person adult at risk that they have done the right thing in telling you;
- Tell them what you will do next and who you will inform;
- Immediately report to and inform the Safeguarding Officer, Line Manager or Head of Service (as appropriate and where possible);
- Record all details you are aware of and log your concern, as soon as possible, on the My Concern Database (Safeguarding Database). If you are not registered on the Database, please email your concern to safeguarding@swale.gov.uk
- Consultation with the Kent Front Door (Children Social Services) or Central Referral Unit (Adult social services) and/or referral to be made and recorded with support from the Safeguarding Officer/Safeguarding Champion/Line Manager.
- Outcome of the consultation/referral to be recorded on the Safeguarding Database.

5.3 When allegations or concerns are expressed about a Member, employee, volunteer or contracted service provider, you should:

- Take the allegation or concern seriously;
- Immediately inform the Safeguarding Officer, Line Manager, Head of Service or Contract Manager (as appropriate);
- The Safeguarding Officer informs Human Resources or Contract Manager at the earliest opportunity, provides a report of the incident and the intended action in accordance with 'Managing Allegations' procedure;
- If you believe the child, young person or adult is 'at risk' of immediate significant harm, which includes situations which you would reasonably believe requires the emergency services, then you should contact the relevant emergency service and then notify the Safeguarding Officer, Line Manager or Head of Service;

- Record all details you are aware of and log your concern, as soon as possible, on the My Concern Database (Safeguarding Database). If you are not registered on the Database, please email your concern to safeguarding@swale.gov.uk
- The Safeguarding Officer has a consultation with Kent Front Door/Kent Central Referral Unit or makes formal referral
- The Safeguarding Officer follows procedures outlined in 'Managing Allegations' procedure and makes contact with the KCC Local Authority Designated Officer (LADO). The KCC LADO can support Human Resources or Contract Manager with appropriate decision-making;
- Any Member, employee or volunteer can make a referral to the KCC LADO if they believe a case has been inappropriately or ineffectively investigated by SBC

5.4 When allegations or concerns are expressed about any other person (e.g. parent, carer, other service user), you should:

- Take the allegation or concern seriously;
- If you believe the child, young person or adult is 'at risk' of immediate significant harm, which includes situations which you would reasonably believe requires the emergency services, then you should contact the relevant emergency service and then notify the Safeguarding Officer, Line Manager or Head of Service and immediately ;
- Immediately report to and inform the Safeguarding Officer & Line Manager or Head of Service (as appropriate);
- Record all details you are aware of and log your concern, as soon as possible, on the My Concern Database (Safeguarding Database). If you are not registered on the Database, please email your concern to safeguarding@swale.gov.uk and contact your team's Safeguarding Champion;
- Consultation with Kent Front Door/Kent Central Referral Unit and/or referral to be made with support from the Safeguarding Officer/Safeguarding Champion/ Line Manager;
- Outcome of the consultation/referral to be recorded on the Safeguarding Database.

5.5 When you have a general welfare concern (i.e. their mental health, levels of debt etc) about a child, young person or adult at risk you should:

- Discuss your concern as soon as possible with a Safeguarding Officer – formal consultation or referrals to social care or the Police may not be needed, but a wider range of referrals to support agencies could be looked into and made.

5.6 When you have a concern that someone may be self-neglecting, you should:

- Discuss your concern with a Safeguarding Officer as soon as possible.
- The Kent and Medway Self Neglect Protocol is in place to guide all agencies in the process to follow for cases of possible self-neglect by adults. As an identifying agency, it may be that Swale BC needs to lead this process. This protocol can be found at <https://kmsab.org.uk/professionals/kmsab-policies>

- A self-neglect fact sheet has been developed (Appendix 2) for staff to follow to ensure an appropriate response is in place.

5.6 For all concerns, there may be cases identified to the Safeguarding Officers that meet the criteria for the multi-agency Swale Vulnerability Panel. This panel focuses on adults that have been or are likely to be a victim of crime or ASB; are isolated; felt to be self-neglect; have a diagnosed, or felt undiagnosed, mental health condition; meet the threshold for statutory services but limited engagement. Cases should be referred to this panel by the Safeguarding Officers if it is felt the criteria are met, for a multi-agency discussion on how best to support the adult.

5.7 Recording Concerns

If any Member, employee or volunteer has concerns about the welfare or safety of a child, young person or adult at risk, or has concerns about the behaviour of a Member, employee or volunteer, it is vitally important to record all relevant details regardless of whether or not the concerns are shared with the Police, KCC or other appropriate partners.

The My Concern Safeguarding Database is in place to record and manage all safeguarding concerns. A new Concern should be logged on the database for all events of concern (even if no referral is subsequently made).

The Safeguarding Database can be found at: <https://www.myconcern.education>

It is the responsibility of the person who directly observes/witnesses the event (e.g. living situation) of concern or who has participated in the meeting/conversation that has caused concern, to record details of the concern. The record should be clear which person provided the information and there must be clear differentiation between opinion and fact.

If the person who has witnessed/observed/participated in the event of concern and is unable to log their concern on the Safeguarding database, the details of the concern should be emailed directly, as soon as possible, to safeguarding@swale.gov.uk to alert the Safeguarding Officer. Their Line Manager should also be alerted to this, who may be able to log the concern on their behalf.

Records may be used for: Evidence for investigations and inquires; Court Proceedings; Monitoring Quality Assurance; and Disciplinary procedures. The Safeguarding Officer will then manage the process and follow guidance on information sharing, confidentiality, consent and making appropriate referrals to KCC and other agencies. It is also important that notes regarding capacity are made, as well as decisions/choices made by any adults at risk.

Appendix 1 details the case standards that are expected for the online case management of safeguarding concerns. This covers the logging of; ongoing management; and closure of concerns.

Employees will be allocated a My Concern Login within those teams that identify the greater number of safeguarding concerns. User accounts will be reviewed at least annually, or when notification of a leaver is received by the safeguarding team, with accounts deactivated as required.

5.8 Consent

It is always best practice to obtain consent from an adult at risk (or parent in relation to children/young people) prior to making referrals or sharing information with another agency.

However, consent is not required for a service referral/information sharing where an adult (or their children) are at high risk of serious harm.

There may be occasions when an adult at risk refuses consent for this information sharing or referrals for support. This may have to be accepted if there is no risk of serious harm to this person or another, however self-neglect (section 5.6 may need to be considered) or their capacity to make a safe decision (see section 5.10).

5.9 Making Safeguarding Personal

It is important that as far as possible, the decisions made in relation to safeguarding adults at risk, are made considering what is important to them. Making Safeguarding Personal seeks to ensure that adults at risk are engaged by professionals and can explain their choices and have control over their wellbeing, safety and quality of life. They should be made aware of options available to them for support, any risks that may be associated with these and what support/outcomes are realistic.

This doesn't always mean that all risks to the adults are removed or reduced. Should a person decide to remain living with a risk, it is important that professionals ensure the person understands these and what actions they can take to maximise their safety.

More information can be found at: [https://www.kmsab.org.uk/p/making-safeguarding-personal/what-is-making-safeguarding-personal#:~:text=What%20is%20Making%20Safeguarding%20Personal%20\(MSP\)%3F&text=Making%20Safeguarding%20Personal%20\(MSP\)%20is,interventions%20are%20personal%20and%20meaningful](https://www.kmsab.org.uk/p/making-safeguarding-personal/what-is-making-safeguarding-personal#:~:text=What%20is%20Making%20Safeguarding%20Personal%20(MSP)%3F&text=Making%20Safeguarding%20Personal%20(MSP)%20is,interventions%20are%20personal%20and%20meaningful).

5.10 Capacity

There may be occasions when adults become unable to make decisions for themselves due to ill health or mental impairment. When this happens, the person is said to 'lack capacity'. The Mental Capacity Act protects and supports these people and outlines who can and should make decisions on their behalf.

It must always be assumed that everyone is able to make a decision for themselves, until it is proven that they cannot. The only way to do this is for a mental capacity assessment to be undertaken by a trained professional.

If there is a concern that an adult at risk may not have capacity to make a decision related to their safety or wellbeing, advice must be taken from the Safeguarding Officer as to how to proceed.

6. Recruitment

SBC is committed to safer recruitment procedures set out by the Kent Safeguarding Children Multi-Agency Partnership (KSCMP) Where it is identified that services or staff have regular contact with children, young people and adults at risk, or will hold safeguarding responsibility, then appropriate procedures are initiated by the recruiting Manager and the relevant Human Resources Officer. Managers who are recruiting for a post of safeguarding level 2 or 3 are required to have completed 'Safer Recruitment' training within the last 3 years.

It is the responsibility of the recruiting manager to undertake a risk assessment for the job description and person specification for those roles likely to involve regular and/or substantial unsupervised contact with children, young people or adults at risk before recruitment takes place. This will determine the safeguarding level of all roles and ensure that only appropriate individuals are selected to undertake DBS procedures.

7 DBS Disclosures

SBC is not a Children's Services Authority therefore scope for working directly with children, young people or vulnerable adults is limited. DBS disclosures should only be sought where a Member, employee or volunteer has substantial, regular or unsupervised contact with children, young people and adults at risk as part of their duties or responsibilities for, or on behalf of, the Council.

SBC will refer any member of staff or volunteer to DBS for consideration for the barred list(s) if SBC thinks a person has:

- harmed or poses a risk of harm to a child or vulnerable adult
- has satisfied the harm test; or
- has received a caution or conviction for a relevant offence and;
- the person they're referring is, has or might in future be working in regulated activity and;
- the DBS may consider it appropriate for the person to be added to a barred list

Please see the separate DBS Policy for further information.

8. Escalating Concerns and Case Reviews

There may be times when officers working on a safeguarding case cannot resolve the concern, or may disagree with another professional from another agency as to the best way forward. These should in the first instance be flagged to the ECS Manager or Safeguarding Officer, if not already done so. These officers may determine the best path forward, particularly if relating to another agency, may be to raise to the Head of Housing and Communities. A referral can

also be made to the Vulnerability Panel to problem solve an approach for a case.

The Kent and Medway Safeguarding Adults Board have an escalation policy in place for when professional disagree about a way forward with a safeguarding adult case. This can be found at <https://kmsab.org.uk/professionals/kmsab-policies>

The Kent Safeguarding Children Multi-Agency Partnership also has an escalation process in place for the same reason – this can be found at <https://www.kscmp.org.uk/procedures>.

There are also occasions when either the Kent and Medway Safeguarding Adults Board, Kent Children Safeguarding Multi-agency Partnership or Kent Community Safety Partnership convene a case review to identify any lessons that can be learnt from the handling of a case between agencies. There are set criteria for when each of these can be convened and procedures in place for their management, but are typically when there has been a death or serious harm caused. Details of these can be found as follows:

- Domestic Homicide review: <https://www.kent.gov.uk/about-the-council/partnerships/kent-community-safety-partnership/domestic-homicide-reviews>
- Safeguarding Adult Review - <https://kmsab.org.uk/professionals/kmsab-policies>
- Kent Child Safeguarding Practice review – <https://www.kscmp.org.uk/prcedures>

The Community Safety Manager and ASB and Vulnerability Team Leader will hold details of the procedures for these reviews and will be the point of contact for the lead agencies that may convene these reviews.

Should any officers feel that a case that they are working on meets the criteria for one of these reviews, the Community Safety Manager will lead on the completion of any relevant notifications to the above Partnership(s) as appropriate.

9. Procurement and contract monitoring

Where Council services are contracted externally, assurance needs to be in place that the contractor or sub-contractor adequately deal with safeguarding concerns. The Safeguarding Contract Management Framework is in place to manage this compliance. At the point of all procurement, all contracts with a level of engagement with children, young people or vulnerable adults need to be graded 'Gold, Silver or Bronze' depending on their level of contact. Compliance to a range of measures will be confirmed by the Safeguarding Team. A contractors ongoing compliance to these safeguarding measures will also need to be monitored by the lead contract manager, in line with the Council's Contract Monitoring Procedure.

10. Safeguarding Partnership Boards

Kent Safeguarding Children Multi-Agency Partnership (KCSMP) is set-up as a result of the Working Together to Safeguard Children 2018 and is led by the Local Authority (Kent County Council), Kent Police and Health to ensure partners work together to safeguard children. Swale Borough Council has a duty to cooperate with this partnership and any relevant sub-groups, including compliance with its partnership policies. This includes to complete a bi-annual Section 11 Audit to ensure compliance with all safeguarding children legislation. Further details on the KSCMP are available at <https://www.kscmp.org.uk>.

There are a number of policies and procedures that Swale BC must follow in relation to our safeguarding response to children and these can be found on their website.

The Kent and Medway Safeguarding Adults Board is an equivalent statutory partnership to ensure member agencies work together to help keep adult's safe from harm and to protect their rights. Again, Swale Borough Council has a duty to cooperate with the partnership including its sub-groups; compliance with multi-agency policies; and to complete a bi-annual audit to ensure compliance with all legislation to safeguard adults. Further details of the KMSAB can be found at <https://www.kent.gov.uk/about-the-council/partnerships/kent-and-medway-safeguarding-adults-board>.

There are a number of policies created by the Kent and Medway Safeguarding Adults Board to which SBC must follow. These are found on their website and have also been referenced within this Policy where appropriate.

Key updates and information are shared regularly by both Boards with the Safeguarding team and these are cascaded to other officers as appropriate.

11. Key Safeguarding Contacts

Safeguarding Officer:

Email: safeguarding@swale.gov.uk

This email must be used to ensure all safeguarding concerns or questions are picked up by the Officers and wider team. Personal email addresses should not be used for reporting of new concerns or urgent case updates.

Phone: 01795 417457 or 'Safeguarding Queue' on Teams

Kent County Council

Kent County Council Adults Social Services – **03000 41 61 61**

Social Services Children & Families – **03000 41 11 11**

Social Services Out of Hours – **03000 41 91 91**

Kent Police

Emergency – 999

Non-emergency – 101

12. Safeguarding Training

Table 1 details the agreed minimum level of training expected for each Safeguarding Contact Level (see section 4.4.1 for definition of levels).

E-learning will be required to be refreshed every three years. The Face-to-face (or virtual) training will also be three years, with the exception of Safeguarding Children (Designated Officer) which will be refreshed every two years.

All new starters, regardless of their Safeguarding Level, must complete the safeguarding e-learning modules. Level 2a, 2b, 3 and 4 staff should complete a short input with a member of the Safeguarding team to gain an oversight of our local procedures and training required.

A number of advisory training sessions are included within this training plan. Although not mandatory, it would be deemed best practice for all staff at that level to complete these.

A certain number of Face to face/Virtual Sessions of each training module for level 2 and above staff will be organised each year. These where possible will be spread throughout the year and delivered on different days/times to increase opportunities for staff to attend.

Deadlines will be set for all completion of training and compliance will be reported quarterly to Senior Management Team. The following steps will be taken to address non-compliance:

- ASB and Vulnerability Team Leader to flag training that is required, with completion date, to Officer and their Line Manager
- If still not completed within new time period, report of all those non-compliant staff to be provided to SMT.
- Head of Service to review list and contact Officer and their Line Manager regarding completion.
- Further action for non-compliance to be discussed on a case-by-case basis.

Table 1: Safeguarding Training Plan: Minimum learning requirement

Safeguarding Contact Level	Level of Contact definition	Minimum learning requirements
0	No contact with children/young people/adults at risk and/or parents/carers	<p>Elms e-learning</p> <ol style="list-style-type: none"> 1. Safeguarding Children 2. Safeguarding Adults 3. Combined Safeguarding Issues 4. Domestic Abuse
1	Limited contact with children/young people/adults at risk and/or parents/carers-no unsupervised contact	<p>Elms e-learning</p> <ol style="list-style-type: none"> 1. Safeguarding Children 2. Safeguarding Adults 3. Combined Safeguarding Issues 4. Domestic Abuse <p>Recommended Awareness Session:</p> <p>Suicide Awareness</p> <p>Economical Abuse</p>
2a	<p>Regular contact with children/young people/adults at risk and/or parents/carers or any unsupervised contact</p> <p>(Specific roles within Private Housing, Environmental Response, Open Space and other teams)</p>	<p>Face-to-Face (or Virtual)</p> <ol style="list-style-type: none"> 1. Prevent (Counter-Terrorism) training 2. Modern Slavery training 3. Child Exploitation training 4. Child Protection 5. Safeguarding Adults 6. Domestic Abuse <p>Recommended Awareness Session</p> <p>Suicide Awareness</p> <p>Self-Neglect</p>
2b	Regular contact with children/young people/adults at risk and/or parents/carers or any unsupervised contact	<p>Face-to-Face (or Virtual)</p> <ol style="list-style-type: none"> 1. Prevent (Counter-Terrorism) training 2. Modern Slavery training 3. Child Exploitation training

	(Housing Options team)	<ul style="list-style-type: none"> 4. Child Protection 5. Safeguarding Adults 6. Domestic Abuse 7. DASH (Domestic Abuse Risk Assessment) <p>Recommended Awareness Sessions:</p> <p>Suicide Awareness</p> <p>Mental Capacity</p> <p>Self-Neglect</p> <p>Domestic Abuse By and For Services</p>
3	Professional advisers and designated leads for safeguarding children and/or adults at risk, irrespective of the level of contact with children/young people/adults at risk and/or parents/carers	<p>Face-To-Face (or Virtual)</p> <ul style="list-style-type: none"> 1. Prevent (Counter-Terrorism) training 2. Modern Slavery training 3. Child Exploitation training 4. Child Protection 5. Safeguarding Adults 6. Domestic Abuse 7. Safeguarding Children (Designated Staff) 8. Mental Capacity 9. Self-Neglect <p>Recommended Awareness Sessions</p> <p>Domestic Abuse By and For Services</p>
4	Strategic responsibility for safeguarding children and/or adults at risk for the organisation irrespective of the level of contact	<p>Elms e-learning</p> <ul style="list-style-type: none"> 1. Safeguarding Children 2. Safeguarding Adults 3. Combined Safeguarding Issues 4. Domestic Abuse

	with children/young people/adults at risk and/or parents/carers.	Face to Face <ol style="list-style-type: none">1. Safeguarding Children (Designated Staff)2. Safeguarding Adults
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Appendix 1 – Case Standards

Introduction

This case note guidance is to be used to inform the management of safeguarding cases by Swale Borough Council and its Safeguarding Leads. It aims to ensure that a 'good' standard is reached and maintained for all safeguarding case records.

It is important that case records are 'good' as they demonstrate the actions taken to safeguard individuals; can evidence why decisions were made and support provided; and allow for better information sharing and cross-agency communications. They may also be provided as evidence in case reviews by other agencies. It will also ensure that other members of the Safeguarding team can sufficiently cover the service in the absence of the Safeguarding Officers(s).

These standards have been compiled following guidance and advice from the Kent Safeguarding Multi-Agency Partnership and internal Audit team.

Recording of new cases

- All concerns should be logged on the My Concern database for management.
- All new cases should be logged within 2 working days of them being raised to the Safeguarding Leads,
- As far as possible, the officer raising the concern should be encouraged them to log the case on the database. If this is not possible, the reporting team should be included in the initial details of the concern.
- A new case should be logged for all concerns raised to the team.
 - If the personal details of the individual(s) in question are unknown such as name, these should be logged as 'unknown' but with as many details as possible to differentiate them.
- A case owner should be allocated to each case at the point it is logged, dependant on the date it is received by the team and the case loads of each officer.
- For concerns raised by Housing Options, their housing database must be reviewed at the point the concern is raised. Appropriate notes should be copied or transposed across to the Safeguarding Database to detail the safeguarding concern.
- All notes should be recorded in clear English, within any use of acronyms explained. These should also be explained in any notes copied over from the Housing Options database.
- As far as possible, distinction should be made between opinion and fact.

Ongoing case management

- Ongoing cases should be reviewed in a timely manner, a minimum of bi-weekly. If it is felt that a case does not require update on this frequency, the case notes

should reflect the reasoning for this e.g. a meeting is due to take place in 2 weeks.

- If there are no updates to note, but the case review has been completed, a note should be added to state this.
- Case owners are responsible for flagging to the ASB and Vulnerability Team Leader if their updates are falling outside of this time period.
- All case updates must be logged on the database within 2 working days of their receipt, or another team member be asked to complete if needed.
- An update should be logged that the case has been reviewed, even if there are no updates to provide.
- The case owner is responsible for logging of all updates on each case, unless they are on leave or off sick. In which case another member of the team will log these.
- Justifications should be added in for decision making where appropriate, such as information sharing or any deviation from procedures.
- Emails that detail any specific issues with the case and action taken, should be attached as separate files, rather than the body of the text copied and pasted into a file note. This does not need to be all correspondence.

Referrals and Outcomes

- All referrals should be logged in the 'referral section' of the database.
- This should include when it is not necessary to make a referral, due to the case already being open to another agency.
- Outcomes of referrals must be chased prior to a case being filed. If an agency is unable or unwilling to provide an outcome, in discussion with the ASB and Vulnerability Team Leader a decision can be made to file a case without this.

Case Filing

- A case should be filed when:
 - I. the appropriate agencies are engaged with the family/individual and taking appropriate action;
 - II. The individual/family has been signposted to support;
 - III. The individual/family will not consent to referrals and its deemed they have capacity;
- When it is determined that a case can be closed, a note should be logged detailing the reasoning for this and the outcomes achieved.
- Case closures must be reviewed by the ASB and Vulnerability Team Leader or Community Safety Manager. A task must be raised for them to review and close the case. If it is the case that the ASB and Vulnerability Team Leader is the lead for a concern, the Community Safety Manager should review that case for closure.
- Case closures must be completed within 2 weeks of being raised.
- If the reviewing officer does not feel the case can be closed, this must be documented within the case notes and fed back to the case owner.

- As far as possible, case closures should be completed by the ASB and Vulnerability Team Leader or an officer independent to the case.

Handovers

- A handover email should be sent to the other Safeguarding Officer (or ASB and Vulnerability Team Leader in the absence of the other Safeguarding Officer) at the end of a working period of any cases that require update, review or action for the following period.

Management Oversight and Review

- In Safeguarding Officer's 121s, cases that have been open longer than 3 months will be discussed. Any other cases that the Safeguarding Officer feels should be raised may also be discussed, including any that they are struggling to progress or are facing difficulty with.
- Team meetings will also be used monthly to highlight any cases that are of concern or an officer is unsure how to progress.
- A performance report will be presented to Senior Management Team on a quarterly basis. A Safeguarding Officer will be responsible for the development of this.

Re-opening of cases

- If a similar concern is raised for an individual within 1 month of a previous one being filed, the concern can be re-opened and where possible, allocated to the previous case lead.
- If a longer time period has passed or the concern is of a different nature, a new concern should be logged.

Review

This guidance will be reviewed on an annual basis.

Appendix 2: Swale Borough Council Hoarding and Self Neglect Fact Sheet

This guidance will be referred to by Swale Borough Council staff where an adult at risk is believed to be self-neglecting or showing hoarding behaviour which puts them at risk.

Self-Neglect

SCIE (Social Care Institute of Excellence) defines self-neglect as “an extreme lack of selfcare, it is sometimes associated with hoarding and may be a result of other issues such as addictions”.

It can include:

- Lack of selfcare to an extent that it threatens personal health and safety
- Neglecting to care for one’s personal hygiene, health, nutrition or environment
- Inability to avoid harm as a result of self-neglect
- Failure to seek help, support or access services to meet health and social care needs
- Refusal of services that would mitigate risk of harm.
- Unwillingness to manage one’s personal affairs.

It is important to remember that self-neglect is not about someone being unable to care for themselves. Many people who come to the attention of adult social services do so because they are no longer able to perform the activities of daily living, such as attending to their personal care or nutrition. In these situations, an assessment under the Care Act and the provision of services will ensure that their needs are met.

Self-neglect is when someone is unwilling, for a number of reasons, to care for themselves. It can be longstanding or recent.

If a person is capacitated and able to make a particular decision, they are entitled to make an unwise decision for themselves as long as it does not have an adverse effect on others.

Hoarding

Hoarding is a recognised mental health diagnosis. It is the excessive collection and retention of any material to the point that living space is sufficiently cluttered to preclude activities for what they are designed for. Hoarding may be characterised by:

- persistent difficulty in discarding or parting with possessions because of a perceived need to save them.
- an intense emotional attachment to objects that may not be regarded as having the same value to others.
- distress at the thought of getting rid of the items.

It is important to recognise that self-neglect and hoarding may be related to medical conditions such as:

- **Diogenes syndrome** is described as an aggravation of eccentric and aloof/reclusive personalities, leading to isolation, severe self-neglect, extreme hoarding and squalid living condition. Further information is available on the NHS England [NHS England website](#) (page 29).
- **Wernicke/Korsakoff Syndrome** is a chronic memory disorder caused by severe deficiency of thiamine (vitamin B-1). Korsakoff syndrome is most commonly caused by alcohol misuse, but certain other conditions also can cause the syndrome. More information is available on the [Alzheimers Association website](#).
- **Frontal Lobe Damage**
- **Depression**

- **Obsessive Compulsive Disorder**
- **Schizophrenia**

Identifying Individuals who self-neglect or demonstrate hoarding behaviour

One or more of the following situations may be an indicator of self-neglect/hoarding and should be considered in the context of each individuals' specific circumstances and characteristics (this list is not exhaustive):

- a) living in very unclean and/or verminous circumstances
- b) neglecting household maintenance, and therefore creating hazards within and surrounding the property
- c) portraying eccentric behaviour / lifestyles
- d) poor diet and nutrition. For example, evidenced by little or no fresh food in the fridge, or what is there, being mouldy
- e) declining or refusing prescribed medication/treatment and / or other community healthcare support
- f) refusing to allow access to health and / or social care staff in relation to personal hygiene, treatment and/or care
- g) refusing to allow access to other organisations with an interest in the property, for example, staff working for utility companies (water, gas, electricity)
- g) not engaging with a required network of support
- h) repeated episodes of anti-social behaviour – either as a victim or perpetrator
- i) being unwilling to attend external appointments with professional staff, whether social care, health, housing or other organisations
- j) poor personal hygiene and/or health
- k) isolation
- l) difficulty in discarding or parting with possessions

The Kent Adults Safeguarding Board relevant policy sets out the legal responsibilities that everyone has under the Care Act 2014, and other associated legislation, with regards to safeguarding adults at risk. In relation to adults perceived to be at risk because of self-neglect/hoarding, authorities are expected to act within the powers granted to them. They must act fairly, proportionately, rationally and in line with the principles of the Care Act 2014, the Mental Capacity Act (2005) and consideration should be given to the application of the Mental Health Act (1983) where appropriate.

A decision on whether a response is required under safeguarding should be made on a case-by-case basis and “will depend on the adult’s ability to protect themselves by controlling their own behaviour”.

Additionally, there are powers that can be used when someone demonstrates hoarding behaviour that puts them or others at risk of harm but may not be self-neglecting. These powers are enabled through a number of Acts including; the Housing Act 2004, Fire Services Act, 2004, Public Health Act 1936, Prevention of Damage by Pests Act 1949, Environmental Protection Act 1990, Town and Country Planning Act 1990, The Animal Welfare Act 2006; Appendices 1 & 2 refer.

Information sharing

Information Sharing procedures can be found in the Kent and Medway multi-agency Policy, Protocols and Guidance document:

Protocol Section 6.1: *Making decisions about sharing confidential information in the [Kent and Medway Multi-Agency Policy, Protocols and Guidance Document](#)*

Swale Safeguarding process:

1. Using the clutter rating scale below (appendix 2) to assess the level of concern and or identify using the definition of self neglect above to identify areas of concern and evidence of self-neglect (appendix 1 tool kit below can also assist with this)
2. Discuss or refer to the Safeguarding team for further guidance
3. Necessary referrals will need to be completed as agreed with your safeguarding team
4. Consent should be obtained where possible and the thought and wishes of the individual documented. It is important to record whether the person consents, or not, to any safeguarding actions and whether the person has capacity to consent. If a person does not consent, action can still be taken where there is reasonable suspicion of a potential crime, risks to others, coercion or harassment of the person, or when it is in the public interest to do so. If a person lacks capacity to consent, a capacity assessment must be completed by the most relevant person and a Best Interests Decision made regarding the referral, or any planned action.
5. A risk assessment should be completed -a copy can be found within [Kent and Medway multi-agency policy and procedure to support people that self neglect or demonstrate hoarding behaviour \(kmsab.org.uk\)](#)
6. If the case does not meet the level for a Safeguarding enquiry to be opened the lead agency are required to call a multi-agency meeting using the template minutes for recording. (This can found in the document referenced above)
7. All actions and multi-agency meetings should be managed and monitored via MyConcern and each managed by a Safeguarding Officer. This does not replace the obligations of other departments and officers within SBC.

Assessment Tool Guidance

Guidance for practitioners

Listed below are examples of questions you may wish to ask where you are concerned about someone's safety in their own home, where you suspect a risk of self-neglect and/or hoarding.

The questions should be used alongside the clutter rating and professional judgement to identify level of risk. The questions are designed to help you ascertain what the primary issue or concern is for the individual and therefore what the most appropriate route for support may be.

The question set should be taken as a whole, and it should always be remembered to consider whether mental health and wellbeing support is needed alongside other solutions.

Most clients with a hoarding problem will be embarrassed about their surroundings. Try to ascertain information whilst being as sensitive as possible. The individual should be engaged in the process of seeking further support and their consent gained for referrals to be made.

Practical

- How do you get in and out of your property?
- Do you feel safe living here?
- Have you ever had an accident, slipped, tripped up or fallen? How did it happen?

- Is there hot water, lighting and heating in the property? Do these services work properly?
- Are you able to use all the rooms in your property e.g. the bathroom and toilet ok?
- Where do you sleep?
- Has a fire ever started by accident? Is the property at risk from fire?
- Do you have a housing support worker? Do you have any support from Adult Social Care?

Physical

- Do you have any physical health needs, mobility supports etc...
- Does your physical health prevent you from clearing your property?
- Do you have anyone helping you with your current situation

Consider:

- Is a referral to Adult Social Care needed?
- Does the person need to see their GP?

Psychological

- Do you have any difficulty with throwing things away? If so what stops you? If I was to throw something away right now how would you feel?
- Do you ever feel upset by your living situation?
- Do you ever feel down, depressed or hopeless?
- Do you ever have thoughts that you would be better off dead or thoughts of hurting yourself
- Have you ever had any support for your mental health before?

Consider

- Checking for current mental health support
- Support to self-refer into Mental Health / Wellbeing Services
- Does the person need to see their GP? (for acute mental health issues person should be referred to their GP or mental health crisis team)
- Give information about the Mental Health Buddy schemes where these exist
- Consider leaving self-help pack

Provision

- Would you like you some support to manage your current situation?
- Are you happy for us to share your information with other professionals who may be able to help you?

Ask person to sign consent form and liaise with other agencies as appropriate – refer to Consent section of the Procedures to Support People who Self-Neglect or Demonstrate Hoarding Behaviour

Bedroom Clutter Image Rating



1

2

3

Clutter Level 1 (image rating 1-3): Household environment is considered standard. No specialised assistance is needed. If the resident would like some assistance with general housework or feels they are declining towards a higher clutter scale, appropriate referrals can be made subject to circumstance.



4

5

6

Clutter Level 2 (image rating 4-6) Social Care Under Self-neglect: Household environment requires professional response to resolve the clutter and the maintenance issues in the property. Requires a referral to Social Care under Self Neglect.



7

8

9

Clutter Level 3 (image rating 7-9) Requires Safeguarding Alert: Household environment will require intervention with a collaborative multi-agency approach with the involvement from a wide range of professionals. This level of hoarding constitutes a Safeguarding alert due to the significant risk to health of the householders, surrounding properties and residents. Residents are often unaware of the implication of their hoarding actions and oblivious to the risk it poses.

Lounge Clutter Image Rating



1	2	3
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Clutter Level 1 (image rating 1-3): Household environment is considered standard. No specialised assistance is needed. If the resident would like some assistance with general housework or feels they are declining towards a higher clutter scale, appropriate referrals can be



4	5	6
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Clutter Level 2 (image rating 4-6) Social Care Under Self-neglect: Household environment requires professional response to resolve the clutter and the maintenance issues in the property. Requires a referral to Social Care under Self Neglect.



7	8	9
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Clutter Level 3 (image rating 7-9) Requires Safeguarding Alert: Household environment will require intervention with a collaborative multi-agency approach with the involvement from a wide range of professionals. This level of hoarding constitutes a Safeguarding alert due to the significant risk to health of the householders, surrounding properties and residents. Residents are often unaware of the implication of their hoarding actions and oblivious to the risk it poses.

Kitchen Clutter Image Rating



1



2



3

Clutter Level 1 (image rating 1-3): Household environment is considered standard. No specialised assistance is needed. If the resident would like some assistance with general housework or feels they are declining towards a higher clutter scale, appropriate referrals can be



4



5



6

Clutter Level 2 (image rating 4-6) Social Care Under Self-neglect: Household environment requires professional response to resolve the clutter and the maintenance issues in the property. Requires a referral to Social Care under Self Neglect.



7



8



9

Clutter Level 3 (image rating 7-9) Requires Safeguarding Alert: Household environment will require intervention with a collaborative multi-agency approach with the involvement from a wide range of professionals. This level of hoarding constitutes a Safeguarding alert due to the significant risk to health of the householders, surrounding properties and residents. Residents are often unaware of the implication of their hoarding actions and oblivious to the risk it poses.

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Housing and Health Committee Forward Decisions Plan – March 2023

Report title, background information and recommendation(s)	Date of meeting	Open or exempt?	Lead Officer and report author
Housing Allocations Policy Review	7 March 2023	Open	Charlotte Hudson
Health System	7 March 2023	Open	Charlotte Hudson
Temporary Accommodation	7 March 2023	Open	Charlotte Hudson
Safeguarding Policy	7 March 2023	Open	Charlotte Hudson

Report title, background information and recommendation(s)	Date of meeting	Open or exempt?	Lead Officer and report author
Housing Strategy	First meeting of Civic Year	Open	Charlotte Hudson
Housing Assistant Policy	Second meeting of Civic Year	Open	Charlotte Hudson
Nightly Let Procurement Award	TBC	Open	Charlotte Hudson