

Corporate Governance and Standards Committee Report

Ward(s) affected: All

Report of Director of Community and Wellbeing

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Safeguarding – Internal Audit Report Update

Executive Summary

This report sets out the progress made in response to the recommended actions in the KPMG internal audit report on the Council's safeguarding arrangements in November 2021.

The purpose of this report is to provide the Committee with the opportunity to examine the progress and activities undertaken in the context of our statutory safeguarding duties, and to advise and comment on the appropriateness of the draft Strategic Safeguarding action plan 2023-24.

The report provides the background to the Council's responsibilities and our safeguarding audit commitments in the context of the statutory duties set out in the legislation and statutory guidance.

The activities undertaken, progress made towards target actions, and mitigations implemented in the last year are summarised in the report with more detailed tracking of targets and commentary presented in Appendix 1.

The report ends by setting out, in Appendix 2, the draft Strategic Safeguarding action plan 2023-24, which responds to the recommendations made in the latest Section 11 and SSAB quality assurance audits (our statutory responsibilities), as well as the outstanding actions from the KPMG audit (non statutory).

Appendix 3 of this report provides the Committee with the terms of reference of the Strategic Safeguarding Group.

Recommendation to Committee

The Committee is invited:

- (1) To review the progress against the recommended actions in the KPMG Safeguarding audit 2021, as set out in Appendix 1 to this report.

- (2) To comment on the appropriateness of the Strategic Safeguarding Group Action Plan 2023-24 as set out in Appendix 2 to this report.

Reasons for Recommendation:

- To inform the Committee of the recent activities towards meeting the recommendations set out in the internal audit, and draft future activities to mitigate against risks to meeting statutory duties.
- The Children Acts of 1989 and 2004 (as amended by the Children and Social Work Act 2017) and the Care Act 2014, set out specific duties for organisations and agencies in relation to safeguarding and promoting the welfare of children.
- Section 11 of the Children Act 2004 places duties on a range of organisations, agencies, and individuals to ensure their functions, and any services that they contract out to others, are discharged having regard to the need to safeguard and promote the welfare of children. This includes district and borough councils.
- The Care Act 2014, places duties on a range of organisations, agencies, and individuals to ensure their functions and any services contracted out to others, are discharged having regard to the need to safeguard and promote the welfare of adults with care and support needs. This includes district and borough councils.

Is the report (or part of it) exempt from publication? No

1. Purpose of Report

- 1.1 The purpose of this report is to provide information for the Committee to be able to examine progress against the recommended actions in the KPMG safeguarding internal audit report (November 2021).
- 1.2 The report also presents the Committee with the opportunity to advise and comment on the appropriateness of the Strategic Safeguarding Group Action Plan for 2023-24.

2. Strategic Priorities

- 2.1 To achieve its strategic priorities, the Council must respond to its statutory duties to safeguard children, and adults with care and support needs. Our strategic approach to safeguarding ensures we are tackling inequality and working with our communities to support those in need.

3. Background

The Council's statutory safeguarding responsibilities

- 3.1 Our statutory duties for safeguarding (set out in section 9) place specific duties on the Council to safeguard children, and adults with care and support needs.

We have additional duties as a housing authority in relation to housing and homelessness.

- 3.2 Statutory responsibility for the effective implementation of local safeguarding children arrangements is fulfilled by the Surrey Safeguarding Children Partnership (SSCP).
- 3.3 The Surrey Safeguarding Adults Board (SSAB) is responsible for the effectiveness of adult safeguarding work across the county, co-ordinating activities to ensure adults with care and support needs are protected.
- 3.4 We work with SSCP and SSAB, to ensure we meet our statutory duties to cooperate in safeguarding and to promote the welfare of children and adults with care and support needs in discharging all our functions. This includes any services or function we contract out.

Safeguarding audit commitments

- 3.5 We have a duty to respond to:
 - the SSCP Section 11 Audit. This refers to the statutory duties of responsible authorities as set in section 11 of the Children Act 2004.
 - the SSAB requests under their Quality Assurance Framework as well as other requests to ensure their assurance requirements are met.
- 3.6 Both the SSCP and SSAB audits provide assurance that we are meeting our statutory duties to cooperate in safeguarding.
- 3.7 In November 2021, KPMG (our internal audit contractor) presented the findings and recommendations of our internal audit on safeguarding, to the Committee (see background papers).
- 3.8 KPMG presented 7 key findings (5 with 'partial assurance with improvements required' and 2 with 'significant assurance').
- 3.9 The Committee were also presented with a Supplementary Information Sheet in response to the report findings (see background papers), where it was noted that recommendations in the report did not acknowledge that our Safeguarding Policy and Procedure was meeting its aims. It was also noted that statutory roles and responsibilities of Surrey County Council as the top tier authority did not appear to be clearly understood by auditors.
- 3.10 In November 2022, the Committee were presented with [an update summary](#) of the actions taken in response to the key findings within the KPMG report.

4. KPMG Safeguarding audit recommendations- update December 2022

- 4.1 Appendix 1 to this report presents a further update (Dec 2022) on the progress towards the audit recommendations.

- 4.2 The update includes commentary on progress, RAG rating against progress, mitigations where appropriate and a revised target date for completion of any outstanding actions under the 7 key findings:
- policy and procedure (combined 2 key findings)
 - strategic action plan
 - staff training
 - recording safeguarding referrals
 - safeguarding groups
 - sharing best practices and lessons learned
- 4.3 There are 4 areas with a green RAG rating indicating they are either complete, on track for completion or operating as business as usual.
- 4.4 There are 2 areas with an amber/green RAG rating indicating they are in progress with mitigations but have one or more outstanding issues to be completed within 6 to 12 months.
- 4.5 Barriers to progress in delivering against actions include capacity and resource within services, changes in the structure of the organisation and a requirement for a case management system that fits the organisation.
- 4.6 The progress made against the new policy and procedure presents an opportunity to demonstrate our organisational commitment to safeguarding, embed the recommendations presented in the audit and to deliver engagement and training opportunities with all staff and councillors.

5. Strategic Safeguarding Action Plan 2023-24

- 5.1 The Strategic Safeguarding Group (SSG) is responsible for developing, monitoring, delivering, and reporting on the action plan presented in Appendix 2. The action plan has been reviewed and updated following the recommendations in the audit.
- 5.2 Terms of Reference for the SSG, including details of membership, are provided in Appendix 3.
- 5.3 The action plan is set out under 4 key priorities:
- awareness and accountability
 - training
 - record keeping
 - policies and procedures
- 5.3 It reflects the recommendations made in the latest Section 11 and SSAB quality assurance audits (our statutory responsibilities) as well as the outstanding actions from the KPMG audit (non statutory).
- 5.4 Progress against the action plan will be presented to Corporate Management Board twice a year.

6. Consultations

- 6.1. Members of the SSG, including the Lead Councillor for Housing and Community, have been consulted on the content of this report and appendices.

7. Key Risks

- 7.1 Without a fit for purpose Strategic Safeguarding Action Plan we will not be able to demonstrate how we are meeting our statutory safeguarding duties.

8. Financial Implications

- 8.1 There are no financial implications arising directly from this report. However, the recommended requirement for a case management solution to effectively manage safeguarding referrals will require a business case which will need to include licence and developer costs.

9. Legal Implications

9.1 Legislation:

- The Children Acts of 1989 and 2004, and Children and Social Work Act (2017)
- The Care Act 2014
- The Mental Capacity Act 2005

9.2 Statutory Guidance:

- Working Together to Safeguard Children (2018)- statutory guidance
- Care and Support Statutory Guidance (updated November 2022)

10. Human Resource Implications

- 10.1 The SSG is the key mechanism for driving forward the strategic priorities for safeguarding across the Council and for agreeing how each service will co-operate to safeguard and promote the welfare of children, and adults with care and support needs.
- 10.2 The group is responsible for ensuring the Council is meeting its statutory duties across both adult and children's safeguarding by:
- responding to the legislation within the Children Acts (1989 and 2004) and the statutory guidance 'Working Together to Safeguard Children' (2018).
 - responding to the legislation within the Care Act 2014 and the Mental Capacity Act 2005 and the statutory guidance 'Care and Support Statutory Guidance' (updated 2020)
 - coordinating the effective implementation of policies and procedures
 - promoting a culture of effective safeguarding practice across the organisation
 - communicating the need to safeguard and promote welfare to all staff, volunteers, councillors, and contractors

- 10.3 The new training safeguarding training programme aligned to the training pathways, has been developed to be sustainable within the resources we have available.

11. Equality and Diversity Implications

- 11.1 There are no Equality and Diversity implications arising directly from this report. There may be equality and diversity implications arising from some of the actions within the SSG action plan and if that is the case an equalities impact assessment will be required for those actions.

12. Climate Change/Sustainability Implications

- 12.1 There are no relevant climate change/sustainability implications.

13. Summary of Options

- 13.1 The Committee is asked to consider and comment on the progress against the KPMG audit recommendations and appropriateness of the SSG action plan set out in this report.

14. Conclusion

- 14.1 The Committee is presented with an opportunity to review the progress against the recommendations set out in the KPMG audit. The SSG action plan has been reviewed and updated. The Committee will receive the next safeguarding report detailing progress against the SSG action plan in January 2024.

15. Background Papers

[KPMG Audit Report November 2021](#)
[Supplementary late sheet November 2021](#)

16. Appendices

Appendix 1: Audit update summary- December 2022
Appendix 2: Strategic Safeguarding action plan 2023-24
Appendix 3: Terms of Reference SSG

Please ensure the following service areas have signed off your report. Please complete this box and do not delete.

| Service | Sign off date |
|--------------------------------|---------------------------------|
| <i>Finance / S.151 Officer</i> | <i>V Worsfold 07/12/22</i> |
| <i>Legal / Governance</i> | <i>D Jones 08/12/2022</i> |
| <i>HR</i> | <i>A Holman 18/12/2022</i> |
| <i>Equalities</i> | <i>A Holman 18/12/2022</i> |
| <i>Lead Councillor</i> | <i>J McShane 18/12/2022</i> |
| <i>CMT</i> | <i>13/12/2022</i> |
| <i>Executive Liaison</i> | <i>04/01/2023</i> |
| <i>Committee Services</i> | <i>20/12/2022</i> |