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Auditor General for Wales

Follow-up review of Corporate Arrangements for Safeguarding – **Merthyr Tydfil County Borough Council**

Audit year: 2018-19

Date issued: August 2019

Document reference: 1460A2019-20



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The team who delivered the work comprised Huw Lloyd Jones, Lisa McCarthy and Sara-Jane Byrne under the direction of Jane Holownia.

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Summary report

Summary

What we reviewed and why

- 1 The Auditor General published his **Review of Corporate Safeguarding Arrangements in Welsh Councils**¹ in July 2015. This national report focused on the safeguarding of children and includes seven recommendations for councils and one for Welsh Government. We have set out the recommendations for councils in **Appendix 1**.
- 2 The Auditor General also produced a separate report on individual councils' corporate arrangements for the safeguarding of children and issued the local report to Merthyr Tydfil County Borough Council² (the Council) in October 2014. The Merthyr report included five proposals for improvement, set out in Appendix 2, and concluded that, 'The governance, accountability and management arrangements for overseeing whether the Council is meeting its safeguarding responsibilities to children have some weaknesses which the Council is addressing.'
- 3 This report considers the Council's progress in implementing the recommendations contained in the national report. Those recommendations subsume the proposals for improvement contained within the earlier local report and we have therefore not reported progress against those proposals separately. While certain governance arrangements for safeguarding operate regionally through the Cwm Taf Safeguarding Board, the focus of our review was on the Council's own corporate arrangements.
- 4 We undertook this review during February and March 2019 to seek assurance that the Council has effective corporate arrangements in place for safeguarding children. Our review sought to answer the question: has the Council responded effectively to the recommendations to all councils in Wales, published in July 2015?

What we found

- 5 Overall, we found that the Council has responded positively to most of our corporate safeguarding recommendations issued in 2015 but it recognises that further work is necessary to ensure that its arrangements are comprehensive. We reached this conclusion because:
 - corporate leadership has taken appropriate steps to increase awareness of safeguarding across the Council and its partners;

¹ A copy of the report is available on the Wales Audit Office website www.audit.wales

² Auditor General for Wales, Wales Audit Office, **Local Authority Arrangements to Support Safeguarding of Children – Merthyr Tydfil County Borough Council**, October 2014.

- the Council has clear procedures for the safe recruitment of staff but recognises that it cannot yet be certain that all relevant staff have attended training about safeguarding issues; and
- arrangements for the assessment of risk relating to safeguarding are sound but there is scope to strengthen members' oversight of the Council's safeguarding performance.

Proposals for improvement

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

Exhibit 1: proposals for improvement

Proposals for improvement	
P1	In order to further extend awareness of safeguarding issues and procedures among its staff and partners, the Council should review and evaluate the impact of its Corporate Safeguarding Reference Group.
P2	In order to further reduce the risks to children and young people, the Council should introduce systems that record whether all staff have undertaken training about safeguarding issues and procedures that is appropriate to their roles.
P3	Elected members should receive regular opportunities to scrutinise the Council's performance in, and its arrangements for, minimising the risks to the wellbeing of children and young people in Merthyr Tydfil.

Detailed report

The Council has responded positively to most of our corporate safeguarding recommendations issued in 2015 but it recognises that further work is necessary to ensure that its arrangements are comprehensive

Corporate leadership has taken appropriate steps to increase awareness of safeguarding across the Council and its partners

- 6 The Council adopted its corporate safeguarding policy in October 2015. The policy has since been reviewed and updated. The Chief Officer for Social Services fulfils the role of the Council's lead safeguarding officer. The seniority of her position enables her to ensure that safeguarding risks and their mitigation receive due prominence within the corporate management team. The Council has also established the role of lead member for safeguarding within the Cabinet, but several recent changes in the post-holder have undermined the impact of this role.
- 7 The Council established a Corporate Safeguarding Reference Group (CSRG) in 2016 in response to the independent inquiry into child exploitation in Rotherham. Though not a decision-making group, the CSRG's role is to disseminate information about safeguarding issues and to raise awareness across all service areas within the Council. The CSRG's membership includes elected members and representatives from third-sector partners as well as Council staff. There is an expectation that those attending CSRG meetings cascade the information they have received within their own departments. However, the Council does not monitor the extent to which dissemination takes place and has not evaluated the impact of the CSRG.
- 8 The Council has acted positively in response to dwindling attendance at the quarterly CSRG meetings by the recent appointment of the lead safeguarding officer as chair. It is too early to gauge the success of this change, but the aim is to ensure that the chair's seniority within the organisation will signal the corporate priority attached to the group. The chair is also well placed to feed issues arising within the CSRG into the corporate management team's discussions, where safeguarding is a standing item on the agenda.

The Council has clear procedures for the safe recruitment of staff but recognises that it cannot yet be certain that all relevant staff attend regular training about safeguarding issues

- 9 The Council has appropriate procedures in place to ensure that it recruits staff safely. We referred in our 2014 report to the fact that the Council had produced and was using its Framework and Guidance to Safe Recruitment in order to ensure that staff appointed to relevant posts underwent appropriate checks. Since then, the Cwm Taf Safeguarding Children Board has identified all posts within the Council's structure for which Disclosure and Barring Service (DBS) checks are necessary. The Council's Safe Recruitment Policy complies with Welsh Government guidance issued under Section 175 of the Education Act 2002, ensuring that staff appointed to work in schools have appropriate background checks.
- 10 The Council's HR service has appropriate systems in place to monitor compliance with the safe recruitment policy and brings any exceptions to the attention of Chief Officers. In cases where it is necessary for new staff to take up post before pre-employment checks have been completed, the Council implements suitable arrangements to manage the associated risk.
- 11 Like all councils, the Council contracts third parties to deliver certain services on its behalf, including aspects of social care. In such cases, the procurement process requires potential contractors to be able to demonstrate the robustness of their own recruitment procedures.
- 12 Appropriate arrangements are in place to ensure that staff working in social care and in the school workforce receive regular training on safeguarding matters. In both sectors, there are systems that enable the Council to track the extent to which individuals have engaged with the training programme. However, we have recently issued a separate report³ to the Council that refers to weaknesses in the documentation of a safeguarding investigation that occurred in 2016. The lack of appropriate record-keeping at that time undermined the Council's ability to justify some of the decisions taken.
- 13 More recently, Care Inspectorate Wales (CIW) inspected the Council's Children's Services⁴ during the spring of 2018 and reported that, 'Safeguarding procedures and processes were understood and followed by staff, ensuring children and young people were protected in a timely and consistent manner.'
- 14 The Council has made progress in extending the provision and take-up of safeguarding training beyond the social services and education workforces. It has, for example, targeted training at licensed taxi drivers and the providers of home-to-

³ Wales Audit Office, **Review of whistleblowing arrangements relating to safeguarding**, July 2019.

⁴ Care Inspectorate Wales, **Inspection of Children's Services: Merthyr Tydfil County Borough Council**, August 2018.

school transport. However, the Council is not yet able to be certain that all relevant staff and contractors across all services have completed the necessary training. The Council has begun to introduce e-learning packages to further raise staff awareness of safeguarding issues and procedures and plans to extend their use. However, further work is needed to fully address recommendation 6 in our 2015 national report ([Appendix 1](#)).

Arrangements for the assessment of risk relating to safeguarding are sound but there is scope to strengthen members' oversight of the Council's safeguarding performance

- 15 The Council's social services scrutiny committee meets about every six weeks.
- 16 The committee receives an annual report from the Cwm Taf Local Safeguarding Board. The committee considered the Care Inspectorate Wales' (CIW) report on Children's services, issued in 2018 and received an update on the Corporate Safeguarding Policy in April 2018. Officers informed us that they take reports to scrutiny when significant changes occur or issues arise.
- 17 However, there is scope to strengthen members' role in seeking assurance about the effectiveness of the Council's safeguarding arrangements. The social services scrutiny committee receives a limited range of performance information and benchmarking data in reports supplied by the Cwm Taf Local Safeguarding Board.
- 18 Discussions in early 2018 about the forward work programme considered whether the committee should, in future, scrutinise the Council's progress in implementing Recommendation 6 from our 2015 national report (see [Appendix 1](#)). However, the committee has not yet considered this item and it no longer forms part of the forward work programme. Council officers acknowledge that there is scope to extend and improve the role of scrutiny regarding safeguarding.
- 19 Safeguarding is included as a risk in the Council's corporate risk register, which is reviewed quarterly. In addition, safeguarding is a standing agenda item at the Council's fortnightly meetings of its corporate management team. However, and despite the fact that safeguarding features prominently as a corporate risk, our 2014 report to the Council identified that safeguarding issues had not featured significantly within the Council's Internal Audit programme. This remains the case; the Internal Audit programme is set in response to a risk-based planning process, and safeguarding risks will enter the internal audit programme only when the likelihood and impact of the identified risk reach the necessary threshold. To date, Internal Audit has not undertaken any related safeguarding reviews. The Council has therefore not addressed the recommendation in our 2015 report for councils to establish a rolling programme of internal audit reviews to undertake systems testing and compliance reviews on the Council's safeguarding practices.
- 20 The Council's Internal Audit function has recently merged with the equivalent teams from three neighbouring authorities to provide a shared internal audit service. This merger has the potential to increase internal audit capacity, thereby

making it possible to consider lower risks than before. We are aware that Internal Audit undertook annual safeguarding reviews at two of the councils in the shared service.

- 21 Managers within social services conduct 'professional audits' of case files. These audits have contributed to the development of a Quality Assurance Framework (QAF) that relates to five categories of vulnerable young people. The QAF seeks to identify the essentials of good practice for each category, setting out relevant measures of quantity, quality and outcomes. In the absence of Internal Audit reports, the information stemming from these audits by managers has the potential to provide councillors with greater assurance about the Council's work in relation to vulnerable young people, including safeguarding.

Appendix 1

Recommendations contained in the Auditor General's 'Review of Corporate Safeguarding Arrangements in Welsh Councils' (July 2015)

Exhibit 2: recommendations from the national report

Recommendations from the national report	Relevant paragraphs in this report
<p>R1 Improve corporate leadership and comply with Welsh Government policy on safeguarding through:</p> <ul style="list-style-type: none">• the appointment of a senior lead officer who is accountable for safeguarding and protecting children and young people with corporate responsibilities for planning improvements;• the appointment of a lead member for safeguarding; and• regularly disseminating and updating information on these appointments to all staff and stakeholders.	Paragraphs 6 to 8
<p>R2 Ensure there is a corporate-wide policy on safeguarding covering all council services to provide a clear strategic direction and clear lines of accountability across the council.</p>	Paragraph 6
<p>R3 Strengthen safe recruitment of staff and volunteers by:</p> <ul style="list-style-type: none">• ensuring that Disclosure and Barring Service (DBS) checks and compliance with safe recruitment policies cover all services that come into contact with children;• creating an integrated corporate compliance system to record and monitor compliance levels on DBS checks; and• requiring safe recruitment practices amongst partners in the third sector and for volunteers who provide services commissioned and/or used by the council which are underpinned by a contract or service level agreement.	Paragraphs 9 to 11

Recommendations from the national report	Relevant paragraphs in this report
<p>R4 Ensure all relevant staff, members and partners understand their safeguarding responsibilities by:</p> <ul style="list-style-type: none"> • ensuring safeguarding training is mandated and coverage extended to all relevant council service areas, and is included as standard on induction programmes; • creating a corporate-wide system to identify, track and monitor compliance on attending safeguarding training in all council departments, elected members, schools, governors and volunteers; and • requiring relevant staff in partner organisations who are commissioned to work for the council in delivering services to children and young people to undertake safeguarding training. 	<p>Paragraphs 12 to 14</p>
<p>R6⁵ Improve accountability for corporate safeguarding by regularly reporting safeguarding issues and assurances to scrutiny committee(s) against a balanced and council-wide set of performance information covering:</p> <ul style="list-style-type: none"> • benchmarking and comparisons with others; • conclusions of internal and external audit/inspection reviews; • service-based performance data; • key personnel data such as safeguarding training, and DBS recruitment checks; and • the performance of contractors and commissioned services on compliance with council safeguarding responsibilities 	<p>Paragraphs 15, 18</p>
<p>R7 Establish a rolling programme of internal audit reviews to undertake systems testing and compliance reviews on the council's safeguarding practices.</p>	<p>Paragraphs 16 to 17</p>
<p>R8 Ensure the risks associated with safeguarding are considered at both a corporate and service level in developing and agreeing risk management plans across the council.</p>	<p>Paragraph 16</p>

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

Appendix 2

Proposals for improvement included in the Auditor General's Review of the Council's Arrangements to Support Safeguarding of Children (October 2014)

Exhibit 3: proposals for improvement

Proposals for improvement	
P1	Develop a Corporate Safeguarding Policy that clearly specifies roles, responsibilities and procedures for safeguarding and ensure this policy is integrated with the work of the Cwm Taf Safeguarding Children Board.
P2	Agree designated Safeguarding Officers within all of the Council's service areas.
P3	Ensure all members and staff who come into contact with children on a regular basis receive training on safeguarding and child protection issues and the Council's policy on safeguarding.
P4	Improve the work of the Council's Scrutiny committees to ensure it is providing assurance on the effectiveness of the Council's corporate safeguarding arrangements.
P5	Identify and agree an appropriate internal audit programme of work for safeguarding.

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