

Follow-up Review of Corporate Arrangements for Safeguarding – Carmarthenshire County Council

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Summary report

The Council has not addressed all the recommendations in our 2015 national report on corporate safeguarding and there are weaknesses in its corporate safeguarding oversight and assurance arrangements that need addressing so the Council can assure itself that risk is minimised

What we reviewed and why

- 1 In 2015 the Auditor General for Wales published a report into the Review of Corporate Safeguarding Arrangements in Welsh Councils. That report made eight recommendations, of which seven related directly to councils and one related to Welsh Government. In this follow up review we have focused on whether the Council has addressed the recommendations in the 2015 national report.
- 2 Having effective arrangements for corporate safeguarding is important for the Council to ensure that its residents - both children and adults in the county - are kept safe from harm. Our review focussed on the Council-wide corporate arrangements for safeguarding. It was not a review of specific safeguarding arrangements in Education or Social Services.
- 3 We undertook the review between June and August 2023.

What we found

- 4 We include a summary of our findings at **Exhibit 3**. Overall, we found that **the Council has not addressed all the recommendations in our 2015 national report on corporate safeguarding and there are weaknesses in its corporate safeguarding oversight and assurance arrangements that need addressing so the Council can assure itself that risk is minimised.**
- 5 The key areas where the Council needs to strengthen arrangements include:
 - its oversight of safe recruitment and safeguarding training to ensure safeguarding duties are being adhered to and responsibilities are understood; and
 - its monitoring and reporting of the effectiveness of its corporate safeguarding arrangements, including providing an annual report to senior officers and Elected Members, to assure itself that it has proper arrangements in place for corporate safeguarding.
- 6 We recognise that the Council is currently taking steps to strengthen its HR policies in respect of safeguarding. It is also planning to introduce new systems in Autumn

2023 to strengthen its oversight of safeguarding training and compliance with Disclosure and Barring Service (DBS) checks.

7 We have issued new recommendations in this report at **Exhibit 2**.

Exhibit 1: overview of findings

The table below sets out an overview of our findings against the eight recommendations in our 2015 national report on corporate safeguarding. We provide further detail in **Exhibit 3**.

2015 Recommendations	Subject area	Audit Wales finding
R1	Improve corporate leadership and comply with Welsh Government policy on safeguarding.	Partially met
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.	Partially met
R3	Strengthen safe recruitment of staff and volunteers.	Not met
R4	Ensure all relevant staff, members and partners understand their safeguarding responsibilities.	Not met
R5	This recommendation was for Welsh Government.	N/A
R6	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.	Not met

2015 Recommendations	Subject area	Audit Wales finding
R7	Establish a rolling programme of internal audit reviews to undertake systems testing and compliance reviews on the council's safeguarding practices.	Met
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.	Met

Recommendations

Exhibit 2: new recommendations arising from this follow up review

The table below sets out the new recommendations that we have identified for the Council from this follow up review.

New recommendations arising from this follow up review
<p>R1 Roles, responsibilities and governance arrangements</p> <p>a) The Council should clarify who will be the Lead Member for corporate safeguarding and ensure the following:</p> <ul style="list-style-type: none"> - that the Council constitution sets out clearly who the Lead Member for corporate safeguarding is and that it is consistent with the Council's Corporate Safeguarding Policy; - that corporate safeguarding is reflected in the relevant Cabinet Member and related scrutiny committee portfolio responsibilities; and - that information about the Lead Member role for corporate safeguarding is communicated to all staff and stakeholders, including updating the Council website. <p>This will help to clarify responsibilities and facilitate accountability.</p> <p>b) The Council should update its Corporate Safeguarding Policy to ensure that the governance arrangements and oversight for corporate safeguarding are</p>

New recommendations arising from this follow up review

clearly set out, including identifying which scrutiny committee will have oversight of corporate safeguarding arrangements.

- c) The Council should ensure that the name of the Corporate Safeguarding Officers Group is used consistently in its documentation on safeguarding to ensure clarity and avoid any confusion.
 - d) The Council should assure itself that the Corporate Safeguarding Officers Group is discharging its role effectively and in accordance with its Terms of Reference.
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R2 Safe recruitment of staff and volunteers

- a) The Council needs to strengthen its current arrangements for monitoring compliance with DBS checks for staff and particularly for volunteers and put in place effective corporate oversight arrangements to ensure that safe recruitment practices are being followed to protect service users.
 - b) The Council should review its revised process of using risk assessments to allow staff to work prior to the required DBS checks being received (that it introduced in response to challenges presented during the Covid-19 pandemic), to assure itself that it has safe recruitment arrangements in place, that are fully complied with, and which do not expose the Council and its service users to risk.
 - c) The Council should assure itself that it has arrangements in place to ensure that contractual provisions in relation to safeguarding are adhered to and those commissioned to do work on behalf of the Council are fulfilling their safeguarding responsibilities, thereby minimising the risk to the Council and its residents.
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R3 Safeguarding training

The Council should ensure that there is effective corporate oversight of compliance with safeguarding training provided to all staff, Elected Members, school governors and volunteers to assure itself that safeguarding responsibilities are understood.

R4 Reporting on corporate safeguarding

The Council should strengthen its reporting on the effectiveness of its corporate arrangements for safeguarding to Corporate Management Team and Elected Members, including the provision of performance information. This will help to strengthen the Council's oversight and assurance arrangements for

New recommendations arising from this follow up review

corporate safeguarding and ensure it applies its Corporate Safeguarding Policy in practice.

R5 Risk management

- a) The Council should consider whether a specific corporate safeguarding risk should be reinstated on its corporate risk register to strengthen corporate oversight.
- b) The Council should assure itself that all departments are fully considering safeguarding risks and, if appropriate, include those risks in the departmental risk registers. Such risks can then be managed and mitigated.

Detailed report

Assessment of the Council's progress against the recommendations issued in our national report 'Review of Corporate Safeguarding Arrangements in Welsh Councils' (2015)

Exhibit 3: recommendations from our 2015 national report, our findings from this follow up review, and future action identified

The table below sets out a summary of our findings against each recommendation issued in our 2015 national report.

Recommendations from our 2015 national report, our findings from this follow up review, and future action identified

Recommendation 1 (from our 2015 national report) – Improve corporate leadership and comply with Welsh Government policy on safeguarding through:

- 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.

Recommendations from our 2015 national report, our findings from this follow up review, and future action identified

Finding from this follow up review – recommendation partially met

- The position in respect of the senior lead officer for safeguarding is clear. The Council has appointed the Director of Communities as the senior lead officer for safeguarding. The Corporate Safeguarding Policy sets out information on the role of the senior lead officer for safeguarding. This provides the necessary clarity over ultimate accountability for safeguarding.
- There has been a lack of clarity over the role of Lead Member for corporate safeguarding. The Council's Corporate Safeguarding Policy states that the Lead Member/Champion for corporate safeguarding is the Leader of the Council. However, this responsibility is not included in the Leader's portfolio responsibilities in the Council's constitution or in the Cabinet portfolios section of the Council's website. 'Adult Safeguarding' and 'Safeguarding Children' is noted in the constitution as responsibilities of the Cabinet Member for Health and Social Services. This has led to confusion internally as to whom is responsible for **corporate** safeguarding.
- The omission of corporate safeguarding from the Leader's portfolio of responsibilities in the constitution has consequently left a gap in respect of scrutiny's oversight of corporate safeguarding.
- We understand that as a result of our follow up review, the Council is now considering changing the Lead Member role for corporate safeguarding from the Leader to the Cabinet Member for Health and Social Services' portfolio of responsibilities. Clarifying the arrangements for the Lead Member for corporate safeguarding is important so that there is appropriate and clear oversight and accountability for corporate safeguarding within the Council.

Future action required – In order that everyone is clear, the Council should clarify who is the Lead Member for corporate safeguarding. In doing so, it should ensure that its constitution sets out clearly who the Lead Member for corporate safeguarding is, that this is consistent with the Council's Corporate Safeguarding Policy, and that corporate safeguarding is reflected in the relevant Cabinet Member and related scrutiny portfolio responsibilities. The Council should also ensure that information about the Lead Member role for corporate safeguarding is communicated to all staff and stakeholders, including updating the Council's website.

Recommendation 2 (from our 2015 national report) – 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.

Recommendations from our 2015 national report, our findings from this follow up review, and future action identified

Finding from this follow up review – recommendation partially met

- The Council’s Corporate Safeguarding Policy, which was updated in March 2023, needs to be clearer about which scrutiny committee has responsibility for scrutinising the Council’s corporate safeguarding effectiveness. The Council’s Corporate Safeguarding Policy includes information relating to corporate safeguarding roles and responsibilities, but the Policy should clarify the role of scrutiny to help to ensure lines of accountability are clear.
- During our fieldwork we identified a lack of clarity in the information provided to us by the Council about the name and purpose of the Council’s internal group with responsibility for corporate safeguarding. The Council has a Corporate Safeguarding Officers Group, but this group was sometimes referred to as a board in documents. Because there is a Regional Safeguarding Board (which has a different remit and purpose) it is important that there is clarity about how these two separate entities are referred to, so as to avoid confusion.
- The Corporate Safeguarding Officers Group needs to ensure it is operating in accordance with its Terms of Reference, including how often it should meet, in order to discharge its role effectively. The group’s Terms of Reference states that the group ‘would meet monthly in the first instance to establish an appropriate work programme – frequency would then be reviewed with meetings at least quarterly’. The Council’s Corporate Safeguarding Policy states that the Corporate Safeguarding Officers Group will meet monthly, however, the group have only met four times since March 2022.

Future action required – The Council should update its Corporate Safeguarding Policy to ensure that the governance arrangements and oversight for corporate safeguarding are clearly set out, including identifying which scrutiny committee will have oversight of corporate safeguarding arrangements. The Council should ensure that the name of the Corporate Safeguarding Officers Group is used consistently in its documentation on safeguarding to ensure clarity and avoid any confusion. The Council should also assure itself that the Corporate Safeguarding Officers Group is discharging its role effectively in accordance with its Terms of Reference.

Recommendation 3 (from our 2015 national report) – Strengthen safe recruitment of staff and volunteers by:

- 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.

Finding from this follow up review – recommendation not met

- The Council has recently reviewed its HR practices in relation to safeguarding and identified areas where its policies/practices need to be strengthened. The Council's Corporate Management Team considered a report on this in August 2023. The report makes 15 recommendations for improvements. The Council has drafted a new suite of HR policies and these will go forward to Members for consideration/adoption.
- The Council is unable to report on its compliance rate for the percentage of post holders in post requiring a DBS check that have the relevant checks in place. This is because of the limitations of the current HR system. The Council told us that it is planning to implement a new HR system in the Autumn 2023 which we are told will address this issue. Currently the Council is using spreadsheets to track that Council staff that are new starters have the necessary HR checks in place, but this tracking has identified that there have been some limited examples of staff having started in post without the required statutory checks. However, the Council's corporate tracking spreadsheets do not cover volunteers.
- The Council's current HR system also only covers Council staff, it does not include corporate records for volunteers. Service departments hold volunteer records. There is no corporate oversight of whether safe recruitment of volunteers is being complied with across the Council. At the current time there are no plans for the new HR system to be used to monitor compliance with DBS checks for volunteers, so the risk related to safe recruitment of volunteers and a lack of corporate oversight in this area remains. The Council's current arrangements for corporately monitoring compliance with DBS checks for volunteers are weak and this poses a risk that volunteers who require a DBS check could be operating without the required checks in place. Our review did not cover the Council's supervision arrangements in this area.
- During the Covid-19 pandemic, due to the Council's need to fill staff vacancies as a matter of urgency and due to the time taken to process DBS checks, as a means of mitigation, the Council introduced a revised process where it undertook risk assessments of some new starters to commence in post prior to a DBS check being received. This practice is still continuing within the Council, and no end date has been set. The Chair of the Corporate Safeguarding Officers Group asked the Council's Internal Audit service to review this revised process to gain assurance as to the level of compliance. In June 2023, the Council's Internal Audit service finalised its review. The Internal Audit report found high levels of non-compliance with the revised process and gave a low assurance rating for the Council's current approach. The Council has provided a management response to the findings of the Internal Audit report.
- The Council does not have corporate oversight of whether services are complying with safe recruitment practices for third sector providers, volunteers and/or commissioned services delivered under contract or service level agreement. The Council's Corporate Safeguarding Policy states that, 'Service Commissioners will be responsible for ensuring that contractual arrangements specify responsibilities in relation to safeguarding in accordance with this Policy and existing commissioning policy. Contractors, sub-contractors or other organisations funded by or on behalf of the Council are responsible for arranging checks through the Disclosure and Barring Service (where required) and for ensuring that their staff comply with regulatory and contractual arrangements relating to safeguarding children and adults'. However, the Council does not have corporate assurance and oversight of whether this is the case, and as a result the Council is unable to assure itself and the public as to any potential risks.

Future action required – The Council needs to strengthen its current arrangements for monitoring compliance with DBS checks for staff and particularly for volunteers and put in place effective arrangements for corporate oversight of this area to ensure that safe

Recommendations from our 2015 national report, our findings from this follow up review, and future action identified

recruitment practices are being followed to protect service users. The Council should review its revised process of using risk assessments to allow staff to work prior to the required DBS checks being received (that it introduced in response to challenges presented during the Covid-19 pandemic), to assure itself that it has safe recruitment arrangements in place, that are fully complied with, and which do not expose the Council and its service users to risk. If the Council decides to continue with this process, then it needs to assure itself that the risks it poses are effectively mitigated and that recruiting officers fully comply with it in order to ensure safe recruitment. The Council should assure itself that it has arrangements in place to ensure that contractual provisions in relation to safeguarding are adhered to and those commissioned to do work on behalf of the Council are fulfilling their safeguarding responsibilities, thereby minimising the risk to the Council and its residents.

Recommendation 4 (from our 2015 national report) – Ensure all relevant staff, members and partners understand their safeguarding responsibilities by:

- 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.

Recommendations from our 2015 national report, our findings from this follow up review, and future action identified

Finding from this follow up review – recommendation not met

- The Council has told us that it offers Level 1 safeguarding training to all staff. However, unlike many other councils, it is not mandated for all staff, only to those in regulated activity. The Council told us that it intends to mandate safeguarding training for all staff once it adopts its new HR learning system in the Autumn 2023. Mandating safeguarding training for all staff is a way of helping to ensure everyone understands their safeguarding responsibilities and helps to mitigate against the risks to all council services and the county's residents.
- The Council does not currently have a corporate-wide system to identify, track and monitor compliance of staff, Elected Members, governors or volunteers attending safeguarding training. The Council was able to produce a summary of staff training compliance for us as part of this review, but this information is not readily available or reported to Members. The Council's new HR learning system should help enable it to identify, track and monitor compliance on safeguarding training of staff members. Whilst the new HR learning system is due to start in the Autumn 2023, the Council has told us that it will be implemented on a rolling programme basis so will take time to embed across the organisation. At the current time it is not clear if the new system will be used to monitor compliance with safeguarding training delivered to non-staff members e.g. Elected Members, school governors and volunteers.
- The Council has provided examples to us of contracts that specify the requirement for safeguarding training for relevant staff in organisations who are commissioned to work for the Council. This is positive as it is a means of helping to ensure such staff understand their safeguarding responsibilities.

Future action required – The Council should ensure that there is effective corporate oversight of compliance with safeguarding training provided to all staff, Elected Members, school governors and volunteers to assure itself that safeguarding responsibilities are understood.

Recommendation 5 (from our 2015 national report) – This recommendation was for Welsh Government.

Recommendations from our 2015 national report, our findings from this follow up review, and future action identified

Recommendation 6 (from our 2015 national report) – 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:

- 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.

Recommendations from our 2015 national report, our findings from this follow up review, and future action identified

Finding from this follow up review – recommendation not met

- The Council does not produce an annual report on its corporate arrangements for safeguarding performance and progress in accordance with its Corporate Safeguarding Policy. There is a Director of Social Care Services' Annual Report which is a statutory requirement for the Director to report on the Council's Social Services function. This report for 2021-22 was reported to Health and Social Services Scrutiny Committee, Cabinet and Council. The Terms of Reference of the Corporate Safeguarding Officers Group, and the Corporate Safeguarding Policy, states that the group will report annually on activity as a section in the annual Statutory Director of Social Services' report. However, this is not happening as this report does not feature corporate safeguarding. The lack of reporting on corporate safeguarding matters is a weakness in the Council's oversight arrangements and in the way the Council implements its Corporate Safeguarding Policy in practice.
- The Council has identified actions and measures for safeguarding which are included on the Council's Performance Information Management System (PIMS). This suite of actions and ten measures is reported to the Council's Corporate Safeguarding Officers Group, but is not reported to Corporate Management Team, Cabinet or to a scrutiny committee. Of the Council's safeguarding performance measures, seven relate to education and social services, and three cover other corporate areas (although data is only available for one of these other three measures). These are:
 - percentage of e-learning training on Violence Against Women, Domestic Abuse, Sexual Violence (VAWDASV) completed by staff (2022-23 result - 69%)
 - percentage of post holders in post requiring a DBS that have the relevant checks in place (2022-23 result - data not available)
 - percentage of starters commenced before full employment checks complete (2022-23 result - data not available).
- The one measure on the percentage of e-learning training on VAWDASV completed by staff is included as part of the Council's reporting arrangements on the progress of its Corporate Strategy.
- The Council's Governance and Audit Committee have oversight of the Internal Audit programme for the Council. Internal audit reports which are 3 star rated (low assurance) are reported to the Governance and Audit Committee. The June 2023 Internal Audit report on safeguarding was reported to Governance and Audit Committee in September 2023.

Future action required – The Council should strengthen its reporting on the effectiveness of its corporate arrangements for safeguarding to Corporate Management Team and Elected Members, including the provision of performance information. This will help to strengthen the Council's oversight and assurance arrangements for corporate safeguarding and ensure it applies its Corporate Safeguarding Policy in practice.

Recommendation 7 (from our 2015 national report) – Establish a rolling programme of internal audit reviews to undertake systems testing and compliance reviews on the council's safeguarding practices.

Recommendations from our 2015 national report, our findings from this follow up review, and future action identified

Finding from this follow up review – recommendation met

- The Council's Internal Audit plan each year includes a safeguarding review. The Corporate Safeguarding Officers Group makes suggestions for potential areas that the Internal Audit service may wish to consider including in its audit plan. The Internal Audit Service has undertaken a number of reviews related to the Council's safeguarding practices over recent years, including: adult safeguarding referral process, adult front door process, children's safeguarding process, safeguarding processes for transport driver/passenger assistants, process for recording allegations of abuse against an employee, and the more recent one in June 2023 on risk assessments/DBS checks for new staff.

Future action required – The Council could consider how Internal Audit can further support the Council to gain assurance on its arrangements for corporate safeguarding.

Recommendation 8 (from our 2015 national report) - 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.

Recommendations from our 2015 national report, our findings from this follow up review, and future action identified

Finding from this follow up review – recommendation met

- The Council no longer has a specific corporate safeguarding risk on its corporate risk register. We understand from the Council that it used to have a separate safeguarding risk register. Those previous risks included ones directly linked to corporate safeguarding arrangements, for example failure to maintain a sound framework for governance arrangements for safeguarding. The Council decided to merge this separate safeguarding risk register into the Council's corporate risk register. In doing this, the Council no longer has a specific corporate safeguarding risk on its corporate risk register. There are two specific safeguarding risks on the Council's corporate risk register relating to children and vulnerable adults, and a general corporate risk relating more broadly to people management, as follows:
 - Deliver Effective Safeguarding Arrangements – Children (CRR190009 - risk rating high). The control owner of this risk is the Head of Children's Services. In the title of this risk it states that the detail is provided in a separate Safeguarding Risk Register but we have been told that no separate risk register exists. This needs to be amended to reflect the updated position.
 - Deliver Effective Safeguarding Arrangements - Vulnerable Adults (CRR190020 - risk rating medium). The control owner of this risk is the Director of Communities.
 - There is also a corporate related risk – 'Ensuring effective people management' (CRR19006). The control owner of this risk is the Assistant Chief Executive. As part of the Council's August 2023 update risk report to CMT it states that, 'We have undertaken a complete review of our Employment Safeguarding policies and procedures and have developed an action plan to address areas that require improvement. We now have a new updated policy and procedure which are in the process of being signed off.'
- Based on the findings of this review the Council should consider if there is a benefit/need for reinstating a specific safeguarding risk covering corporate safeguarding arrangements on its corporate risk register.
- There are safeguarding risks on the departmental risk registers for Adult Social Care and Children's Services. There is also a risk on the People Management and Performance departmental risk register entitled 'failure to comply with employment matters'. The controls for this risk include having safe recruitment guidance and monitoring compliance with it. Safeguarding risks have not been identified on any other departmental risk registers of any other Council service. The Council should assure itself that all departments and services are fully considering safeguarding risks and, if appropriate, include those risks on departmental risk registers.

Future action required – The Council should consider whether a specific corporate safeguarding risk should be reinstated on its corporate risk register to strengthen corporate oversight. The Council should also assure itself that all departments are fully considering safeguarding risks and, if appropriate, include those risks on departmental risk registers. Such risks can then be managed and mitigated.



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