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## **ADULT SAFEGUARDING UPDATE**

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### **Reason for the Report**

1. To provide Members with an update on the Council's approach to Adult Safeguarding with particular reference to:
  - Current Council Performance
  - Future Plans

### **Background**

2. Corporate Safeguarding is the activity required by all Council directorates to effectively protect the health, wellbeing and human rights of children and adults at risk so that they are able to live free from harm, abuse and neglect. In accordance with legislative requirements set out in the Social Services and Well-being (Wales) Act (2014) (SSWBA).
3. The SSWBA sets out the duties and responsibilities for local authorities and relevant partner organisations<sup>1</sup> with regard to safeguarding. Part 7 of the Act details the specific duties and requirements, other parts of the Act also apply to safeguarding cases, such as the overarching duty to promote well-being, to have regard to people's individuality, dignity and views, and support them to participate including considering whether advocacy support is necessary. Practitioners must also have regard to the United Nations Principles for Older Persons, the United Nations Convention on the Rights of Disabled People, as well as the European Convention of Human Rights.
4. Safeguarding is everybody's business and the SSWBA imposes a duty on local authorities, all Members and employees, and other statutory partners to

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<sup>1</sup> The Act defines relevant partners as the police, other local authorities, probation, local health boards and NHS trusts.

report all safeguarding concerns to relevant safeguarding departments. This is known as the duty to report. In order to effectively implement these duties and activities, the Council must ensure that all staff are compliant with, and fully understand their duties under the SSWBA.

5. The Community & Adult Services Scrutiny Committee received background information to inform their scrutiny of adult safeguarding at their committee meeting on 18 January 2017. The report received provided: an overview of the duties regarding adult safeguarding, as set out by the Social Services and Wellbeing (Wales) Act 2014; an overview of the Local Safeguarding Adults Board; metrics available re: adult safeguarding in Cardiff; and a copy of the SSIA1 Safeguarding Adults: Councillors Workbook. The full report and subsequent appendices can be found [here](#).

6. On January 9, 2019 CASSC carried out pre-decision scrutiny of two draft proposals for Safeguarding namely;

- Corporate Safeguarding Policy - **Attached at Appendix 1;**
- Corporate Safeguarding Board Progress Report – **Attached at Appendix 2.**

Following the meeting, issues raised by the Members were fed back in a letter to the Cabinet Member for Finance & Modernisation and the Chair of the Corporate Safeguarding Board - **attached at Appendix 3.**

7. The Cardiff Council Corporate Safeguarding Policy (2018-2021) was approved at Cabinet on, 24 January 2019.

### **Way Forward**

8. Councillor Susan Elsmore, Cabinet Member for Health, Social Care and Wellbeing has been invited to attend for this item. Cllr Elsmore will be supported by officers from Adult Social Services.

## **Legal Implications**

9. The Scrutiny Committee is empowered to enquire, consider, review and recommend but not to make policy decisions. As the recommendations in this report are to consider and review matters there are no direct legal implications. However, legal implications may arise if and when the matters under review are implemented with or without any modifications. Any report with recommendations for decision that goes to Cabinet/Council will set out any legal implications arising from those recommendations. All decisions taken by or on behalf of the Council must (a) be within the legal powers of the Council; (b) comply with any procedural requirement imposed by law; (c) be within the powers of the body or person exercising powers on behalf of the Council; (d) be undertaken in accordance with the procedural requirements imposed by the Council e.g. Scrutiny Procedure Rules; (e) be fully and properly informed; (f) be properly motivated; (g) be taken having regard to Council's fiduciary duty to its taxpayers; and (h) be reasonable and proper in all the circumstances.

## **Financial Implications**

9. The Scrutiny Committee is empowered to enquire, consider, review and recommend but not to make policy decisions. As the recommendations in this report are to consider and review matters there are no direct financial implications at this stage in relation to any of the work programme. However, financial implications may arise if and when the matters under review are implemented with or without any modifications. Any report with recommendations for decision that goes to Cabinet/Council will set out any financial implications arising from those recommendations.

## **RECOMMENDATION**

The Committee is recommended to:

- i. Note the contents of the report and presentation,
- ii. To consider future actions in relation to future scrutiny of this item.

**DAVINA FIORE**

**Director of Governance & Legal Services**

**28 March 2019**