

STANDARDS & ETHICS COMMITTEE

15 DECEMBER 2015

**REPORT OF THE DIRECTOR GOVERNANCE & LEGAL
SERVICES**

**MEMBER PROTOCOL ON SAFEGUARDING VULNERABLE
CHILDREN AND ADULTS**

Reason for this Report

1. To consider a draft Protocol to provide guidance and advice to elected Members on their roles and responsibilities in relation to safeguarding vulnerable children and adults.

Background

2. An Independent Review was commissioned by the Chief Executive to look into the role of Members in dealing with parent's complaints and acting as advocate in child protection proceedings. This followed concerns raised by an elected Member about safeguarding practice within Children's Services in relation to a small number of cases. The Review made a number of recommendations which come within the remit of the Standards and Ethics Committee.
3. The Standards and Ethics Committee considered a report on this matter at its last meeting, in September 2015.

Issues

4. At its meeting on 22nd September 2015 the Committee considered a draft Protocol addressing the matters recommended by the Independent Review; and heard evidence from the Director of Social Services.
5. The Committee made various observations and agreed that the following changes should be made to the draft Protocol:
 - To make clear that Members should immediately report any concerns they may have about potential harm to vulnerable children or adults – paragraph 4.1 (and section 5)

- To clarify the advice regarding Members acting as formal Advocates for service users - paragraph 4.5
 - To explain that a timescale for a full response will be given within 10 days, if a full response is not possible within that time – paragraph 7.3
 - To confirm that information is protected as ‘personal data’ if the individual is identifiable, even if the individual is not explicitly named – paragraph 8.4
6. A revised draft Protocol, incorporating the amendments above, is attached at **Appendix A** to this Report.
 7. The Committee noted that the draft Protocol had been discussed with political group leaders, but it was suggested that all Members should be consulted on the revised draft Protocol before submitting it to Council for approval. It was also suggested that, in order to reinforce the importance and effectiveness of the Protocol, the approved Protocol should be added to the Constitution and Cardiff Undertaking.
 8. Subject to the agreed amendments and consultation, as above, the Committee delegated authority to the Monitoring Officer, in consultation with the Chair, to recommend the Protocol to Council; along with amendment of the Cardiff Undertaking to include a new obligation to recognise the collective responsibility of Councillors to safeguard and promote the life chances of looked after children.
 9. The Committee is invited to note the revised draft Protocol attached at **Appendix A**, and make any further comments before this draft is sent to all Members for consultation and submitted to Council for approval.

Legal Implications

10. These are set out in the Report

Financial Implications

11. None identified

Recommendations

The Committee is recommended to:

1. Note the revised draft Protocol attached at **Appendix A**, and recommend it to Council for approval, subject to consultation with all Members and any further amendments;
2. Authorise the Monitoring Officer, in consultation with the Standards and Ethics Committee Chair, to make any further amendments to the Protocol; and
3. Recommend to Council amendment of the Cardiff Undertaking to include a new obligation to recognise the collective responsibility of Councillors to safeguard and promote the life chances of looked after children and to observe the Member Protocol.

Marie Rosenthal
Director of Governance & Legal Services
8 December 2015

Appendices:

Appendix A: draft Protocol – The Role of Elected Members in Safeguarding Vulnerable Children and Adults

Background papers:

Standards and Ethics Committee report, 'Member Protocol on Child Protection and Vulnerable Adult Casework and Corporate Parenting', 22nd September 2015