



National
Operational
Guidance

Guidance

**NFCC Safeguarding Guidance for
Children, Young People and Adults**



NFCC
National Fire
Chiefs Council

Developed and maintained by the NFCC



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Introduction

The fire and rescue national framework documents provide clear instruction on the delivery of core functions, which includes prevention and protection. There is a clear expectation that fire and rescue services develop partnerships for those identified as vulnerable and at risk from exploitation or abuse. Fire and rescue services must also have appropriate safeguarding arrangements in place to provide the public with the reassurance and confidence that they have every right to expect.

The Scottish Fire and Rescue Service fully support the aims, purpose and sentiment of the NFCC Safeguarding Guidance whilst acknowledging Scotland has different legislative and policy frameworks than colleagues in England, Wales and Northern Ireland and as such Scottish Fire and Rescue Service personnel should refer to their own guidance. This document has been designed to outline key legal duties together with key core themes which are underpinned by the standards set out in Section 11 of the Children Act 2004 and Section 42 – 46 of the Care Act 2014. It should be read in conjunction with other NFCC guidance relating to children, young people and adults with complex needs and vulnerabilities.

Fire and rescue personnel and people working on behalf of the service undertake on a daily basis a wide range of public facing roles, which includes education and engagement with all members of our communities including children, young people, and adults with complex needs and vulnerabilities. Employees and people working on behalf of the service have a legal and moral obligation to recognise and report concerns about abuse or neglect, they should also have the necessary skills and training to ensure that they are safe and effective practitioners. Fire and rescue services also have a responsibility to safeguard and protect those that represent their service, and it is therefore imperative that they are provided with guidance and support in order to effectively safeguard themselves and others. There are various safeguarding concerns which can be encountered, and these may occur as a result of a single action, repeated actions or lack of action. Children and adult social care services are required to investigate reports that meet the threshold for enquiry and will carry out assessments under the legal framework to determine what action to take.



The value and importance of partnership and inter-agency working is key to ensuring that children, young people and adults at risk have that risk mitigated wherever reasonably possible. There are a range of models employed across the UK.

Where there are safeguarding concerns, fire and rescue services should consider prevention, protection and response activities as well as universal services, local signposting or indeed a

referral to the relevant health and social care provider. This document applies to people who work for or on behalf of the fire and rescue service including volunteers and those commissioned to work on their behalf.

NFCC recognises that fire and rescue services use various titles for those who have designated safeguarding responsibilities. It is the responsibility of each individual service to read this guidance in line with their own structures, policies and procedures.

The above information references legislation, which is applicable in England but in essence the legal duties relating to safeguarding are very similar. The relevant legislations are listed below.

“The fire and rescue service have a key role in safeguarding the most vulnerable people in our communities, our access into people's homes, which is built on trust and respect means we see things that others may not. It is our duty to act in order to safeguard, a duty which we take incredibly seriously.”

Phil Garrigan, NFCC CYP Chair

“It is imperative that efficient and effective safeguarding becomes business as usual within our sector. This will ensure we maintain the trusted and relied upon position the fire and rescue service rightly holds within communities. This document provides guidance for the sector to appropriately discharge their legal and moral obligations with regards to safeguarding practices.”

Donna Bentley MBE, NFCC Safeguarding Chair



Legal Duties – A short summary

Care Act 2014

Defines responsibilities for organisations in terms of safeguarding adults who may be at risk of abuse or neglect. This can include self-neglect.

Children Act 1989 and 2004

The Children Act 1989 provides a comprehensive framework for the care and protection of children. It centres on the welfare of children up to their 18th birthday.

The Children Act 2004 supplemented this and reinforced the message that all organisations working with children have a duty to help safeguard and promote the welfare of children.

Children and Social Work Act 2017

Amended the safeguarding provisions in the Children Act 2004. Instead of maintaining a Local Safeguarding Children's Board, the statutory partners of Local

Authority areas in England (the LA, Police and Health) must make arrangements with any relevant agencies that they consider appropriate, to work together to identify and respond to the needs of children in their area.

Counter Terrorism and Security Act 2015

This placed the Prevent programme on a statutory footing. It creates a "general duty on specified authorities" that a specified authority must, when exercising its functions, have due regard to the need to prevent people from being drawn into terrorism.

Fire and Rescue Services Act 2004

This places a statutory duty to promote fire safety in the community. The extent of individual fire and rescue authorities work with children and adults at risk varies, however the safeguarding responsibilities are defined in other legislation.

Human Rights Act 1998

In particular Article 8 which protects the right to respect for private life and home.

United Nations Human Rights Convention on the Rights of the Child 1989 (Article 12)

This assures to the child who is capable of forming his or her own views the right to express those views freely in all matters affecting the child, the view of the child being given due weight in accordance with age and maturity of the child.

Mental Capacity Act 2005

This provides the legal framework for acting and making decisions on behalf of individuals who lack the mental capacity to make particular decisions for themselves. It should be assumed that anyone aged 16 or over has full legal capacity to make decisions for themselves (the right to autonomy) unless it can be shown that they lack capacity to make a decision for themselves at the time the decision needs to be made. The same rules apply whether the decisions are life-changing events or everyday matters.

Mental Health Act 2007

The Mental Health Act details actions that can be taken when someone may be at risk of serious harm to themselves, others or property. It is the law which can allow someone to be admitted, detained and treated in hospital against their wishes.

Modern Slavery Act 2015

Designed to tackle slavery in the UK. This includes servitude and forced or compulsory labour, human trafficking and debt bondage and the act makes provision for the protection of victims.

Police & Crime Act 2017

This places a duty on emergency services to collaborate. Implications for safeguarding arrangements may need to be considered.

Public Interest Disclosure Act 1998

This protects whistle-blowers from detrimental treatment by their employers.

Section 11 audit – (under Children Act 2004)

Places duties on a range of organisations 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. As a result, they are required by local safeguarding children boards to complete a S11 audit (self-assessment).

Section 17 referral (under Children Act 1989)

Local authorities have a general duty to safeguard and promote the welfare of children within their area who are in need and to promote the upbringing of such children by their families, by providing a range and level of services.

Section 47 referral (under Children Act 1989)

Where there are reasonable grounds to suspect that a child is suffering or is likely to suffer Significant Harm (i.e., child protection concerns), and a Section 47

Enquiry is initiated by children's social care and the police.

Safeguarding Vulnerable Groups Act 2006 and the Protection of Freedoms Act 2012

This prevents people who are deemed unsuitable to work with children and adults at risk of harm or neglect from gaining access to them through their work. The

Independent Safeguarding Authority (ISA) was established as a result of this Act. In December 2012

the ISA merged with the Criminal Records Bureau to become the Disclosure and Barring Service (DBS). Organisations with responsibility for providing services to vulnerable groups have a legal obligation to refer relevant information to the service.

The Data Protection Act 2018

Is the UK's implementation of the General Data Protection Regulation (GDPR). Everyone responsible for using personal data has to follow strict rules called 'data protection principles'. They must make sure the information is: used fairly, lawfully and transparently.

Working Together to Safeguard Children 2018

The Department for Education (DfE) has published statutory guidance setting out what organisations and agencies that have functions relating to children must and should do to safeguard and promote the welfare of all children and young people under the age of 18 in England.

All Wales Child Protection Procedures 2008

All Wales Safeguarding

Ask & Act 2015 (Wales)

A principles-based approach to targeted enquiry. Its aim is to increase identification and support for those who experience violence against women, domestic abuse and sexual violence.

The Social Services and Wellbeing Act 2014 (Wales)

Well-being of Future Generations (Wales) Act 2015

This act is about improving the social, economic, environmental and cultural well-being of Wales. It defines sustainable development in Wales as: "The process of improving the economic, social, environmental and cultural well-being of Wales by taking action, in accordance with the sustainable development principle, aimed at achieving the well-being goals."

The Children (NI) Order 1995

Family Homes and Domestic Violence (NI) Order 1998

Section 75 Northern Ireland Act 1998



Information on Safeguarding Boards

The overall role of Safeguarding Boards is to ensure that there are robust local inter-agency arrangements in place that promote the welfare of children, young people and adults at risk and to ensure the effectiveness of those arrangements.

Local safeguarding partner arrangements for children - The overall role of these arrangements are to coordinate local work to safeguard and promote the welfare of children and to ensure the effectiveness of what the member organisations do individually and together.

Local Adult Safeguarding Board -The overarching purpose of a SAB is to help and safeguard adults with care and support needs. It does this by assuring itself that local safeguarding arrangements are in place as defined by the Care Act 2014.

Some local Safeguarding Boards may require senior officer representation from the fire and rescue service at Board level. It is important for partnership working to be maintained in the spirit of safeguarding our communities and establishing good practise at local and strategic level.



Leadership and Governance/Accountability

Fire and rescue services have a duty to ensure arrangements for safeguarding are in place.

Fire and rescue services must:

- have arrangements to recognise and identify safeguarding concerns and appropriately action any concerns where children, young people and adults are at risk and ensure legal compliance
- ensure an accountability framework outlining safeguarding roles and responsibilities across the Service to include:
 - A named senior officer with overall responsibility
 - A named lead officer for dealing with allegations against employees - Where to send referrals/queries
 - Who to approach for advice
- ensure personnel and people working on behalf of the service are aware of safeguarding policies and procedures as well as the legal and moral obligations to effectively safeguard.



Policy/Procedure/Guidance

Fire and rescue services have written safeguarding policies, procedures and guidance aligned to local safeguarding board/partner procedures and relevant legislation in place. These should include:

- Legal requirements
- Roles and responsibilities
- Processes to raise concerns
- Standards of behaviour
- Use of technology including photography
- Guidelines relating to physical contact, physical intervention
- Guidelines relating to diversity and additional care and support needs
- Process to deal with allegations against employees and volunteers including reporting allegations to the Local Authority Designated Officer (Children), People In Position of Trust (Adults) or equivalent role at the local authority
- Training
- Data management
- Complaints and whistle-blowing
- Commissioning services
- Collaborative working
- How to ensure person centred approach and capture the voice of the service user
- Support for employees dealing with safeguarding cases

Policies should be reviewed regularly as required and as a minimum every 3 years.



Safer Recruitment

The aims of the Safer Recruitment Policy are to help deter, prevent and detect people who may pose a risk to children, young people and adults at risk or are otherwise unsuited to working with them by having appropriate procedures for appointing staff. Any organisation that works with vulnerable groups has a responsibility to safeguard them and ensure their well-being.

Fire and rescue services have a duty to ensure their recruitment policies and procedures adhere to



safer recruitment guidance and practice. This involves robust pre-employment checks to ensure prospective employees and people representing the service are safe to work with children, young people and adults, when appropriate to the role. This can include reference checks, proof of identity checks and criminal record checks.

This will also apply to internal movement of employees into a role that includes regulated activity or a specialist post as defined by the Safeguarding Vulnerable Groups Act 2006 and the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975.

Fire and rescue services should refer to their internal procedures to determine the frequency of undertaking criminal records checks.



Training

Fire and rescue services have a duty to ensure safeguarding training relevant to the role is provided to all employees and people delivering activities on behalf of the service and that systems are in place to identify training needs and monitor the effectiveness of training delivered. Training must include basic awareness of safeguarding (recognise, respond, report and record) as per local procedures. Some roles will require additional specific training.



Supervision

It is recommended that professional supervision is available to those working in areas with children/adults at risk to help them cope with the emotional demands of the role. Supervision is an opportunity to bring personnel and a skilled supervisor together to reflect on work practice, case issues and or dilemmas. It is the process by which personnel can review and evaluate their work through discussion, report and observation with a skilled supervisor. This ideally should be recorded on the employee's file and also include the supervisees support and development needs, overall performance in their role and any concerns they may have about their work environment or the performance of the team (the supervisee's record).



Allegations Against Employees or People Working on Behalf of the Service

Fire and rescue services have a duty to have robust procedures in place to receive and respond to concerns/allegations made against personnel or people working on behalf of the service. If the allegation or concerns appear to meet the criteria for referral to the LADO (Local Authority Designated Officer) the designated safeguarding member of staff must contact the Duty LADO within 1 working day of any situation arising. Concerns may not be solely in connection with what happens in the working environment. The actions of an individual in their personal life may indicate that their behaviour could be a risk of harm to children, young people and vulnerable adults they work with e.g. perpetrators of domestic abuse, sexual assault etc.



Measuring Effectiveness

One of the responsibilities of the Safeguarding Boards is to assess the effectiveness of local safeguarding arrangements in various ways (including Adult and

Children's safeguarding audits). This is where all local agencies and organisations who provide services to children and adults are asked to self-assess the extent to which they meet the safeguarding arrangements and standards set out in statutory guidance.

Internal and external audits can include self-assessment, peer review and may consider strategic and organisational arrangements as well as how cases are managed. These are a useful method to identify gaps in practice, policies and procedures, learn, develop and improve.



Outcomes Following Case Reviews

Fire and rescue services may be asked to provide information and be part of the process for a case review These can include (not an exhaustive list)

- Safeguarding Adult Review



- Serious Case Review
- Child Death Overview Panel
- Inter-Agency Learning Review
- Domestic Homicide Reviews.

Safeguarding Adult and Serious Case Review's provide excellent reflective learning and opportunities to develop safer practices providing the opportunity to share the learning. There will always be recommendations that come out of such reviews, and how fire and rescue services will need to consider what actions apply to them and how the learning will be shared and implemented across the workforce.



Information Sharing

Proactively sharing information and effective communication between agencies is vital to ensure good outcomes when working with children, young people and adults at risk. Timely information sharing is key to safeguarding and promoting the welfare of children and adults at risk. It enables early and timely intervention. If a child, young person or adult is at risk of significant harm or neglect, the law supports you to share information without consent.

Fire and rescue services must ensure they have processes to share information and abide by data protection legislation.

Whilst non-statutory, the HM Government Advice for practitioners providing safeguarding services to children, young people, parents and carers provides guidance in respect of sharing information.



Retention of Information

Fire and rescue Services must meet data protection legislation when handling personal data. This will include storage, recording, retention and destruction of information and applies to both electronic and paper based records.





Self-Assessment Toolkit

The Self-Assessment Toolkit is designed to enable fire & rescue services to carry out snapshot review of the safeguarding practices prior to a Peer Review or Local Authority Safeguarding Audit. The toolkit has been divided into 9 separate categories (listed below) enabling an adaptable approach to self-assessment.

1. Action: What safeguarding practices ought to be in place
2. Responsible Person/Named Person Who is responsible for ensuring this is in place/actioned
3. Comments and Time Line: What has been actioned, what needs to be actioned and how this will be achieved, relevant information relating to the on-going processes to ensure completion. Timeline in place to ensure actions are addressed.
4. Status/Completed: Red: High priority, little evidence that this has been actioned. Amber: Actions in place, and what they are, actions currently on-going to ensure completion. Green: Action is complete

The documents are to be completed in conjunction with the NFCC Safeguarding Guidance for children, young people and adults at risk and applies to people who work for or on behalf of the fire and rescue service, including volunteers and those commissioned to work on their behalf.

You each access each category using the left hand menu:

- Senior management commitment to the importance of safeguarding
- Clear statement of Service responsibilities
- There is a clear line of accountability within the Service for work on safeguarding and promoting the welfare of children, young people and adults
- Service development takes into account the need to safeguard and promote welfare of children, young people and adults at risk
- The Service has regular training, supervision and appraisal of staff with regard to safeguarding children, young people and adults at risk
- Safer Recruitment and Managing Allegations
- There is effective inter-agency working to safeguard and promote the welfare of children, young people and adults at risk
- Information Sharing
- Working with children, young people and adults at risk



Senior management commitment to the



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importance of safeguarding



	Lead/Person Responsible	Comments and Time Line	Status/Completed
<p>There is a responsible person within the Service at the highest strategic level (where reasonable) that demonstrates the Services commitment to the importance of safeguarding.</p> <p>There is a named person for safeguarding within the service.</p> <ul style="list-style-type: none"> • The named person will have appropriate qualifications/training and demonstrable knowledge, with accountability for safeguarding advice and procedures. • The named person has attained relevant safeguarding training within the last 2 years. • A safeguarding responsibility is included in job descriptions for both responsible and named person (including other staff assigned to safeguarding responsibilities) and included in their annual performance appraisal. <p>There is recorded senior management discussion relating to safeguarding and the positive impact on organisational development and service delivery</p> <p>Where applicable those that hold governance for the fire and rescue service are regularly made aware of safeguarding issues and risks affecting the service. They demonstrate a commitment to safeguarding and can hold the Service to account regarding their safeguarding responsibilities.</p> <p>The Service has in place adequate resources in order to ensure effective and efficient safeguarding practices.</p> <ul style="list-style-type: none"> • Staff • Timelines • Professional supervision • Training 			



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Clear statement of Service responsibilities



	Lead/Person Responsible	Comments and Time Line	Status/Completed
<p>The Service has a robust quality assurance framework that focuses on what is to be achieved for children, young people and adults at risk.</p> <ul style="list-style-type: none"> • Written policies and procedures are in place for safeguarding and promoting the welfare of children, young people and adults at risk which are aligned to Local Safeguarding Board and partnership procedures. • Information sharing procedures. • Identify staff roles and responsibilities in regard to safeguarding. • Identify clear reporting structures for concerns about a child, young person or adult at risk and includes guidance for escalation. <p>All staff are made aware of policy and procedures and can readily access these and advised that compliance is mandatory. Staff are aware of how to report safeguarding concerns.</p> <ul style="list-style-type: none"> • Clear, unambiguous procedures. • Step to step guidance on actions taken. <p>There is a whistle blowing policy which encourages staff to safely report poor practice.</p> <p>Safeguarding policies are to be reviewed regularly, every 3 years, or whenever there is a major change in the organisation or in relevant legislation or guidance.</p> <p>There is a complaints policy and procedure in place that is in line with statutory guidance which is available for staff and other service users.</p> <ul style="list-style-type: none"> • Complaints procedure is promoted and monitored. • Included in induction. • Time span for response and adherence to this target is monitored. • Evaluations/audits of the use of the complaints process are undertaken. 			



There is a clear line of accountability within the Service for work on safeguarding and promoting the welfare of children, young people and adults

	Lead/Person Responsible	Comments and Time Line	Status/Completed
<p>There are clear lines of accountability from staff throughout the service and a flow chart of accountability is displayed and available.</p> <p>There is a named person(s) at an appropriate level with a clearly defined role and responsibility in relation to safeguarding.</p> <p>Staff are aware of their own responsibilities</p> <ul style="list-style-type: none"> • Moral and legal • Training • Process <p>There is evidence of continuous promotion of safeguarding responsibilities throughout the Service.</p> <ul style="list-style-type: none"> • Campaigns • E Learning <p>Local authority/government protection procedures are promoted and used within the service. Adequate links to these.</p>			



Service development takes into account the need to safeguard and promote welfare of children, young people and adults at risk

	Lead/Person Responsible	Comments and Time Line	Status/Completed
<p>Safeguarding is incorporated into service development and delivery</p> <p>Adequate safeguarding training is available</p> <ul style="list-style-type: none"> • Relevant to role • Recorded <p>Review processes to ensure changes in policy are incorporated into service policy/procedure and delivery.</p>			



The Service has regular training, supervision and appraisal of staff with regard to safeguarding children, young people and adults at risk



	Lead/Person Responsible	Comments and Time Line	Status/Completed
<p>A clear induction process is in place for all staff and that addresses safeguarding responsibilities, policies and procedures and is delivered in a timely way.</p> <p>A strategy for providing training including appropriate levels of safeguarding awareness at all levels has been identified by the Service and quality assured by a responsible agency.</p> <p>Training plans are in place for staff whose role involves more in depth contact with children, young people and adults at risk and these records are maintained and can be monitored/audited.</p> <p>Service completes audits of training and can evidence training provided.</p> <ul style="list-style-type: none"> • Evidence effectiveness. • Evidence training given. • Numbers trained. <p>The Service monitors that all staff, where appropriate, have received updated safeguarding training within the last two years. Evidences good practise.</p> <p>Staff with specific responsibilities in safeguarding have the appropriate training to develop the required skills and the opportunities to update their knowledge to work effectively with complex issues.</p> <ul style="list-style-type: none"> • Professional supervision. <p>Thematic in local safeguarding boards.</p>			



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Safer Recruitment and Managing Allegations



	Lead/Person Responsible	Comments and Time Line	Status/Completed
<p>The service has a Safer Recruitment policy that helps deter, prevent and detect people who may pose a risk to children young people and adults at risk or are otherwise unsuited to working with them by having appropriate procedures for appointing staff.</p> <p>Staff involved in recruitment training are suitably trained and safer recruitment training is known to be effective by evaluation processes.</p> <p>Recruitment adverts include the Service commitment to safeguarding and safer recruitment.</p> <p>Rigorous procedures are in place for recruiting anyone who has contact with children, young people or adults at risk.</p> <ul style="list-style-type: none"> • Assess their suitability to work with children and adults at risk • Where appropriate are consistent with statutory requirements • Appropriate references and checks <p>Robust governance arrangements ensure that a record of all staff who work with children is readily accessible.</p> <p>Safeguarding responsibilities are reflected in all job descriptions relevant to role and responsibilities.</p> <p>DBS checks are undertaken on relevant roles in line with national legislation and guidance.</p> <p>Staff are aware of the reporting processes in the Service with regards to referral to DBS following safeguarding concerns of staff.</p> <p>The Named Person has been adequately trained in the managing allegations process to enable effective work with the LADO</p> <p>The Service has a clear policy and procedure for dealing with allegations against staff which is in line with local guidance and procedure.</p> <p>Support is available for staff who are subject to allegations.</p>			



There is effective inter-agency working to safeguard and promote the welfare of children, young people and adults at risk

	Lead/Person Responsible	Comments and Time Line	Status/Completed
<p>Inter-agency working is actively promoted where applicable and at the appropriate levels of responsibility and knowledge.</p> <p>The Service regularly attends and participates at local safeguarding boards and partnerships and where reasonable attendance at operational and sub group meetings.</p> <p>Staff within Safeguarding are adequately trained:</p> <ul style="list-style-type: none"> • To assess thresholds • Refer to appropriate service • Awareness of the roles of other agencies • Understanding of inter-agency procedures • Participate in inter-agency meetings where appropriate 			



Information Sharing

	Lead/Person Responsible	Comments and Time Line	Status/Completed
<p>Services have clear policy on appropriate information sharing in line with GDPR and safeguarding practices.</p> <p>There are agreed systems, standards and protocols for sharing information within the service and between agencies in accordance with national and local guidelines when a disclosure and/or there are welfare concerns</p> <ul style="list-style-type: none"> • Embedded recording of case files • Retention policy • Destruction policy <p>Effective communication between agencies.</p> <ul style="list-style-type: none"> • Promoted at strategic level. <p>Staff working with children, young people and adults at risk record their work in accordance with statutory and good practice guidance.</p> <p>Staff know where to seek advice on information sharing and have confidence in their professional judgement.</p>			



Working with children, young people and adults at risk

	Lead/Person Responsible	Comments and Time Line	Status/Completed
<p>Work with individual children, young people and adults at risk adheres to the principles of anti-discriminatory practice and equality of opportunity and they are made aware of their right to be safe from abuse.</p> <ul style="list-style-type: none"> • Voice of the child/adult at the centre • Assess to policy <p>Staff are encouraged to develop a culture that ensures children, young people and adults at risk are listened to and respected as individuals.</p> <ul style="list-style-type: none"> • Made aware of their right to be safe from abuse • Involved, where possible, in decisions that affect them 			