

## SAFE COMMISSIONING – CHSCB MINIMUM EXPECTATIONS

*Making sure that we do everything we can to promote safeguarding and safer commissioning is an essential part of creating a safeguarding culture in the workplace.*

The City & Hackney Safeguarding Children Board has a responsibility to ensure that agencies fully comply with safe commissioning processes as stipulated in Section 11 of the Children Act 2004. All organisations which carry out contracting or sub-contracting activity should make all reasonable efforts to ensure that commissioned or sub contracted services are suitable to carry out the role for which they are engaged.

This set of minimum expectations has been developed in order to provide some clarity of expectation to commissioners and contractors of services. Additional requirements may be necessary and suitable for some services dependent up on the nature of the service provided and to which users.

The guidance applies to all agencies which commission or decommission external services for City or Hackney children and young people and all contracts and specifications which are developed for this purpose.

All organisations which are contracting or sub-contracting should as a minimum:

1. ensure externally commissioned organisations are **section 11 compliant**<sup>1</sup> and continue to engage in Section 11 audit processes at intervals agreed by the CHSCB.
2. have a **standard safeguarding clause within the contract** that includes:
  - an explicit reference to safeguarding children
  - an explicit reference to the overarching legislation (Children Act 1989 and 2004, Working Together to Safeguarding Children (2015), The London child protection procedures (5th edition) Disclosure, Vetting & Barring Guidance Criminal record checks: guidance for employers (2014) and CHSCB guidance relating to safeguarding
  - the CHSCB safer recruitment minimum standards and tools
  - a requirement for safeguarding and whistle blowing policies and standards to include areas shown in appendix A which are updated at regular<sup>2</sup> intervals.
  - an expectation of continued training in relation to safeguarding
  - an expectation that key messages from the CHSCB, including lessons identified through local Serious Case Reviews, audits and other processes are effectively cascaded to all staff.
  - the role of the provider in ensuring its staff are alert to the signs and symptoms of child abuse and neglect and know what to do if they are worried about a child.
  - the role of the provider in complying with multi agency safeguarding systems to report, and respond to safeguarding concerns and co-operate with safeguarding investigations.
  - the role of the LADO and expectations around referrals
3. enable contractors and sub contractors to **receive CHSCB information, updates and partake in CHSCB training**.
4. record the **DBS numbers and DBS expiry dates for staff within contracted services** who work directly with, or have regular contact with, children and young people based on levels of contact. (Note: directly employed staff must follow the full recruitment standards)
5. evidence adherence to the above standards through **robust performance management and a good quality assurance framework** of commissioned services on a regular basis. This should include safeguarding discussions at each contract monitoring meeting and safeguarding metrics included within the contract.
6. undertake **thematic checks** as part of the quality assurance process to ensure these standards are met. The regularity and mechanisms for these checks should be considered using a risk based approach.

<sup>1</sup> This could be a requirement to complete a s11 audit at tender stage or through use of a recent s11 audit.

<sup>2</sup> The regularity to be appropriate to the contract but should not be less frequent than every 3 years.

## Appendix A: Areas to be covered by Providers' Safeguarding Policies:

1. **a commitment to comply with national and local guidance and single and multi-agency policies** and procedures to safeguard and promote the welfare of children and young people including:
    - Children Act 1989 & 2004
    - Working Together to Safeguarding Children (2015)
    - The London child protection procedures (5th edition)
    - Disclosure, Vetting & Barring Guidance Criminal record checks: guidance for employers (2014)
    - Local CHSCB guidance
  2. **a clear line of accountability** for safeguarding children and young people which is properly reflected within governance arrangements and senior management commitment to the importance of safeguarding and promoting children's welfare.
    - The chief executive of any provider organisation takes ultimate responsibility for safeguarding within the organisation
    - Providers will need to ensure there is a senior board level lead to take leadership responsibility for organisation's safeguarding arrangements. This person can demonstrate a sound working knowledge of safeguarding legislation and policy and their role is defined within organisation's governance structure including job description.
    - A clear declaration of the provider's responsibility to protect from harm and abuse without exception, all children and young people regardless of gender, sexuality, disability, ethnicity, faith or cultural background.
    - The declaration towards safeguarding children and young people is visible to all staff and public.
  3. **clearly recorded processes for making referrals to children's social care or early help services** within each local authority which is consistent with local threshold documents (Hackney Child Wellbeing Framework in Hackney, City of London Threshold of Needs in City or reference to both documents if providing services cross-borough).
  4. **systems and processes for safe recruitment in line with CHSCB minimum standards and the managing of allegations against staff** that may pose a risk of harm to children (including a description of the role of the Local Authority Designated Officer (LADO) and contact details).
  5. **an effective training strategy** for all staff and volunteers (including assessment of training needs through the supervision process) and effective supervision arrangements. Safeguarding training should be refreshed at least every 3 years and effective records of this training should be retained by the organisation.
  6. **a clear whistleblowing policy and code of conduct** for staff which sets out all staff's responsibilities for notifying safeguarding concerns.
  7. **processes in place to enable the views of children, parents and carers** to be used both in individual decisions and the development of services or are working towards developing these processes.
  8. **effective arrangements for information sharing and working in partnership** with other agencies including the Local Safeguarding Children Board and other sub or specialist working groups, including where there are concerns for the welfare of a child or young person.
  9. **evidence the policies have been ratified through the relevant governance arrangements** and include a specified review date. They should be easily accessible for staff at all levels within the organisation and should be given to all staff when they start their employment.
  10. **evidence of consideration of specific activities undertaken by the organisation**. Examples (not exhaustive) include: sanctioned visits, chaperone/escort policies, leasing of premises, anti-bullying policy, care of disabled children, changing room policies, use of social media/on line protection policies and photographic equipment and trips, tours and holiday clubs.
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