



Final Internal Audit Report

Watford Borough Council Safeguarding 2015/16

November 2015

Issued to: Alan Gough - Head of Community and Customer Services
Justine Hoy - Environmental Health and Licensing Section Head
Gary Oliver - Culture and Play Section Head
Paul Banks – Play Services Manager

Copied to: Manny Lewis – Managing Director
Jo Wagstaffe – Director of Finance
Nigel Pollard – Acting Head of Finance

Report Status: Final

Reference: F1425/15/001

Overall Assurance: Moderate

INDEX

<u>Section</u>	<u>Page</u>
1. Executive Summary	3
2. Assurance by Risk Area	5
 Appendix A – Management Action Plan	 6
Appendix B - Definitions of Assurance and Recommendation Priorities	16

1. EXECUTIVE SUMMARY

Introduction

- 1.1 Internal Audit provides Watford Borough Council (WBC) with an independent and objective opinion on the organisation's governance arrangements, encompassing internal control and risk management, by completing an annual risk-based audit plan. This audit forms part of the 2015/16 approved Annual Audit Plan for WBC.
- 1.2 The Council's Safeguarding Children, Young People and Adults Policy sets out the Council's commitments in this area including, how WBC might become involved in children's issues, legal and national guidance, information for officers, volunteers and members, risk assessment, dealing with allegations and providing links to County Council guidance, policies and strategies.
- 1.3 Safeguarding is overseen by the Hertfordshire Children's Safeguarding Board and the Hertfordshire Adults Safeguarding Board, which both provide information, guidance and expected procedures.
- 1.4 Following the report of Inspection of Rotherham, officers were keen to explore the Council's response and welcomed the opportunity to evaluate whether the Council is doing enough in relation to child sexual exploitation (CSE). Therefore the majority of the time allocated for this audit focused on undertaking a gap analysis of the Council's current approach against the recommendations and outcomes of recent CSE reports. This aims to provide the Council with initial information to inform and where relevant empower change.
- 1.5 Key areas identified following the report of Inspection of Rotherham and subsequent information such as the LGA's 'The importance of oversight and scrutiny' includes: training, unified policy, convictions, complaints, scrutiny, promotion of CSE awareness, reporting and data analysis.

Overall Audit Opinion

- 1.6 Based on the work performed during this audit, we can provide overall **moderate assurance** that there are effective controls in operation for those elements of the risk management processes covered by this review. These are detailed in the Assurance by Risk Area Table in section 2 below.
- 1.7 This audit has highlighted the commitment the Council has towards implementing improvements in relation to CSE issues as highlighted by recent reports such as the Rotherham report. Engagement by officers to support this audit has identified areas where improvements can be made and this has informed the findings and recommendations made within this report.
- 1.8 The Council has clear roles and responsibilities in relation to safeguarding and has training programmes in place for managers and officers that come into contact with children and for those expected to review and refer safeguarding concerns. Safeguarding information is provided on the Council website including the Safeguarding Children, Young People and Adults Policy and the website home page

also includes the Child Exploitation and Online Protection Centre (CEOP) button to assist in reporting concerns. Additionally the Council are part of the District Safeguarding Group and multi-agency Community Protection Group.

- 1.9 The Council also actively participates in Section 11 audits as part of the self-assessment process, sharing this assessment through the production of leadership reports.
- 1.10 During the audit, issues were raised around the limited updates received from Hertfordshire County Council (HCC) after a referral is made. Although the service has already raised this issue, we recommend that this is taken further through the Hertfordshire Safeguarding Children's Board. Additionally, the responsibility for dealing with an issue / follow up once HCC have been informed, should be confirmed within the service to support information sharing.
- 1.11 For definitions of our assurance levels, please see Appendix B.

Summary of Recommendations

- 1.12 We have made nine recommendations, eight assessed as medium priority and one as merits attention priority to further strengthen the internal controls and management / audit trail.
- 1.13 The recommendations cover changes and improvements to increase safeguarding and more specifically CSE awareness in the following areas:
- a) Safeguarding policies and procedures,
 - b) Service risk register,
 - c) Licensing committee Member training,
 - d) Safeguarding referrals,
 - e) Taxi licensing convictions and enforcement policies,
 - f) Taxi licensing application forms,
 - g) Serious concerns around a licenced driver,
 - h) Safeguarding scrutiny reviews, and
 - i) Police notifiable occupations.
- 1.14 Please see Management Action Plan at Appendix A for further detail.

Annual Governance Statement

- 1.15 This report provides moderate levels of assurance to support the Annual Governance Statement.

2. ASSURANCE BY RISK AREA

2.1 Our specific objectives in undertaking this work, as per the Terms of Reference, were to provide the Council with assurance on the adequacy and effectiveness of internal controls, processes and records in place to mitigate risks in the following areas:

Risk Area	None	Limited	Moderate	Substantial	Full
CSE gap analysis (general) - to establish whether there is adequate awareness / guidance in place within the Council to effectively engage with other partners / agencies and whether CSE awareness is embedded across the Council					
CSE gap analysis (taxi licensing specific) - to include issue, review and renewal of licences, convictions, complaints and intelligence					
Overall					

2.2 See definitions for the above assurance levels at Appendix B.

No.	Finding / Associated Risk	Priority	Recommendation	Management Response	Target Date
1.	<p>General Safeguarding Policies and Procedures</p> <p>The Safeguarding Policy and associated procedures are updated annually and changes are driven by the safeguarding board. The policy is approved by Leadership Team and is not currently approved by Members.</p> <p>The safeguarding policies and procedures are adequately designed to ensure that safeguarding concerns / suspicions are appropriately reported, however there is no specific reference to CSE.</p> <p><u>Associated Opportunity</u></p> <p>There is an opportunity to increase understanding and awareness of Safeguarding and CSE issues and additionally help to support a culture and sense of collective responsibility to tackle these issues through involving members in the authorisation of policy and procedures.</p>	Medium	<p>We recommend that the next review be approved by Leadership Team and Members.</p> <p>We recommend that the policy and procedures be reviewed and amended to specifically reflect CSE.</p>	<p>Agreed, will take next review to Leadership Team and Cabinet.</p> <p>Agreed.</p> <p>Responsible Officer: Culture and Play Section Head</p>	<p>January 2016 (Leadership Team) March 2016 (Cabinet)</p> <p>March 2016</p>

No.	Finding / Associated Risk	Priority	Recommendation	Management Response	Target Date
2.	<p>Risk Register</p> <p>Safeguarding / CSE responsibilities do not feature on the service risk register.</p> <p><u>Associated Risk</u></p> <p>Without a collective responsibility to tackle CSE, the Council may fail in its safeguarding responsibilities.</p>	Medium	We recommend that the risk register be reviewed to ensure that safeguarding / CSE risks are included.	<p>Revised risk register provided which includes risk of failure to respond and / or cooperate with the lead authority on CSE.</p> <p>Responsible Officer: Culture and Play Section Head</p>	Implemented

No.	Finding / Associated Risk	Priority	Recommendation	Management Response	Target Date
3.	<p>Licensing Committee – Member Training</p> <p>There is no bespoke training for members sitting on the Licensing Committee to support the mandatory e-learning for all Members.</p> <p>Although the Licensing Committee have a limited role in determining decisions, they do set the convictions policy and in certain circumstances may also be required to determine fitness to operate.</p> <p><u>Associated Risk</u></p> <p>Inadequate training can lead to inappropriate decisions being made, leading to reputational risk for the Council and detrimental effect on the safety or livelihood of individuals.</p>	Medium	We recommend that a training process be created for relevant members as required due to the limited member role in licensing committee decision determination.	<p>General training to be included in Councillor licencing training.</p> <p>Bespoke training for members considering the fit and proper test to be developed and delivered as necessary prior to undertaking licensing decisions.</p> <p>Responsible Officer: Environmental Health and Licensing Section Head</p>	<p>May 2016</p> <p>January 2016</p>

No.	Finding / Associated Risk	Priority	Recommendation	Management Response	Target Date
4.	<p>Safeguarding Referrals</p> <p>If a complainant does not want to report an incident to the police / HCC or the police / HCC decide not to investigate / prosecute because of the criminal burden of proof then the Council will still investigate where relevant.</p> <p>However there is limited use of signposting to other agencies for support and internal links for sharing information within the Council.</p> <p><u>Associated Risk</u></p> <p>Solely relying on formal complaints may lead to CSE going undetected and therefore damage to the Council's reputation and have a detrimental effect on people's safety.</p>	Medium	We recommend that the Council promote other support e.g. improve visibility of other agencies via the website and through corporate guidance so the focus is not just on referrals to the police / HCC. Additionally, internal sharing of safeguarding information between departments can be enhanced to ensure all avenues of information are considered.	<p>Agreed.</p> <p>Play Services Manager now sits on Community Protection Group which includes representatives from all front line services to discuss concerns and cascade information as required.</p> <p>Responsible Officer: Culture and Play Section Head</p>	<p>December 2015</p> <p>Implemented</p>

No.	Finding / Associated Risk	Priority	Recommendation	Management Response	Target Date
5.	<p>Taxi Licensing Convictions and Enforcement Policies</p> <p>Although the Convictions Policy shows a date when last reviewed, there is no indication of the next required review.</p> <p>The policy includes a section on indecency and sexual offences; however there is no specific reference to CSE. Additionally although there is reference to 'fit and proper' the policy could be more specific to include indicators/patterns and not just offences.</p> <p>The Enforcement Policy covers licensing decisions and discusses procedure following complaints and serious proven offences. However, through discussion with management there is scope for reviewing the policy to include patterns of behaviour / reports alongside convictions.</p> <p><u>Associated Risks</u></p> <p>Not regularly reviewing the Council's position on convictions in the light of current practice may impact its ability</p>	Medium	<p>We recommend that the date of the next scheduled review be indicated within the Convictions Policy.</p> <p>We recommend that the Convictions policy be reviewed to include a specific reference to CSE and indicators / patterns, at present there is an ability to consider information wider than just convictions but this needs to be explicit and clear.</p> <p>We recommend that the Enforcement policy be reviewed to include patterns of behaviour/reports alongside convictions. This will include trends of complaints and concerns for particular operators.</p>	<p>The policy will be reviewed no later than three years from last review. The document will be amended in line with the CSE review and then taken through the Licensing Committee.</p> <p>To be developed, consulted and approved by Licensing Committee.</p> <p>To be developed, consulted and approved by Licensing Committee.</p> <p>Responsible Officer: Environmental Health and Licensing Section Head</p>	<p>March 2016</p> <p>March 2016</p> <p>March 2016</p>

No.	Finding / Associated Risk	Priority	Recommendation	Management Response	Target Date
	<p>to meet safeguarding responsibilities and damage its reputation.</p> <p>By solely relying on convictions, the Council may damage its reputation and cause a detrimental effect on people's safety.</p>				

No.	Finding / Associated Risk	Priority	Recommendation	Management Response	Target Date
6.	<p>Taxi Licensing Application Form</p> <p>There is no facility on the application form for asking about details of convictions from outside the UK.</p> <p>There is a declaration on the application form regarding making a false declaration, however this is only one sentence and therefore does not comprehensively warn of consequences of making a false declaration.</p> <p><u>Associated Risk</u></p> <p>Solely relying on DBS checks may lead to inappropriate individuals being issued licences risking damage to the Council's reputation and having a detrimental effect on people's safety.</p>	Medium	We recommend that the application form be reviewed to add a question regarding convictions outside the UK and the declaration revised to warn applicants of the consequences of making a false declaration.	<p>Agreed.</p> <p>Responsible Officer: Environmental Health and Licensing Section Head</p>	December 2015

No.	Finding / Associated Risk	Priority	Recommendation	Management Response	Target Date
7.	<p>Serious concern around the activities of a licensed driver</p> <p>Although there is guidance in the enforcement policy and conviction policy, the term 'serious' is ambiguous and there is no specific reference to CSE.</p> <p><u>Associated Risk</u></p> <p>Without clear guidance, inconsistencies can occur, risking damage to the Council's reputation and having a detrimental effect on safety or livelihoods.</p>	Medium	We recommend that documentation be reviewed to include a specific reference to CSE and to provide more substantial guidance around what is considered to be serious by the organisation.	<p>Agreed.</p> <p>Responsible Officer: Environmental Health and Licensing Section Head</p>	March 2016

No.	Finding / Associated Risk	Priority	Recommendation	Management Response	Target Date
8.	<p>Safeguarding Scrutiny Reviews</p> <p>Although reviews of policy and framework, transport policy, the handling of complaints, fee setting, provision of taxi ranks and fleet age and maintenance have all been reviewed by the licensing committee within the last year, there has not been a scrutiny in this area.</p> <p><u>Associated Risk</u></p> <p>Not regularly scrutinising the Council's position may impact the effectiveness and accountability of decision making and its ability to meet its safeguarding responsibilities, ultimately damaging its reputation if not in line with current thinking.</p>	Merits Attention	We recommend that the Council suggest greater scrutiny involvement to examine the organisations position in relation to safeguarding responsibilities.	<p>Agreed.</p> <p>Responsible Officer: Committee and Scrutiny Officer</p>	June 2016

No.	Finding / Associated Risk	Priority	Recommendation	Management Response	Target Date
9.	<p>Police Notifiable Occupations</p> <p>During the audit issues were raised around police notifiable occupations and the associated problems the Council has when a decision is made not to notify the Council regarding issues that would help in undertaking the fit and proper test. Although information is sought, it is not always provided.</p> <p><u>Associated Risk</u></p> <p>Lack of challenge and inadequate information following reporting may lead to trends being missed and ultimately failures in the organisations safeguarding responsibilities.</p>	Medium	We recommend that further discussions regarding this issue are raised through the police, obtaining clarity to ensure consistency around police notifiable occupations. This is an issue that is being discussed at a national level due to guidance issued by the National Police Chiefs' Council.	<p>Agreed.</p> <p>Responsible Officer: Environmental Health and Licensing Section Head</p>	January 2016

Levels of assurance	
Full Assurance	There is a sound system of control designed to achieve the system objectives and manage the risks to achieving those objectives. No weaknesses have been identified.
Substantial Assurance	Whilst there is a largely sound system of control, there are some minor weaknesses, which may put a limited number of the system objectives at risk.
Moderate Assurance	Whilst there is basically a sound system of control, there are some areas of weakness, which may put some of the system objectives at risk.
Limited Assurance	There are significant weaknesses in key control areas, which put the system objectives at risk.
No Assurance	Control is weak, leaving the system open to material error or abuse.

Priority of recommendations	
High	There is a fundamental weakness, which presents material risk to the objectives and requires urgent attention by management.
Medium	There is a significant weakness, whose impact or frequency presents a risk which needs to be addressed by management.
Merits Attention	There is no significant weakness, but the finding merits attention by management.