

12.1 Introduction

This guidance sets out:

- how safeguarding should be embedded through the procurement and contract management cycle and
- the Quality Concerns framework for health and social care providers within the Solihull Borough as well as out of Borough providers which Solihull contracts with.

12.2 Guidance on embedding safeguarding in procurement and contracting activities

Table 1 below sets out the safeguarding requirements to be addressed in contracts and an incremental approach has been adopted based on the level of contact with individuals who may be vulnerable due to age, disability or illness.

When procuring services to ensure services can safeguard children, young people and adults at risk the following should be implemented:

- (i) **Internal Guidance to support compliance with procurement process**
Include: information re: organisation's safeguarding responsibilities for individuals who may be vulnerable due to age, disability or illness;
- (ii) **Pre-contract questionnaire:**
Include question re: level of contact with individuals who may be vulnerable due to age, disability or illness and advise that contact with individuals who may be vulnerable due to age, disability or illness will require commitment to safeguarding/ evidence of safeguarding measures.
- (iii) **Invitation to Tender:**
Includes: How safeguarding requirements will be met.
- (iv) **Clarification/Verification/Site visit:**
Verification of safeguarding measures
- (v) **Report to 'accountable' body for approval:**
Section in report re: how safeguarding requirements have been addressed and will be monitored.

(vi) **Contract Awarded.**

Contract includes specific section on safeguarding requirements and a requirement to review the level of safeguarding measures needed should the level of contact with children and young people change at any point. Monitoring arrangements include a clause to learn and implement changes from specific incidents/audit activity.

(vii) **Contract Management.**

At an agreed frequency information to be provided by contractor to demonstrate ongoing compliance and also any improvements identified as a result of specific incidents/statutory requirements.

Table 1 – Safeguarding requirements based on the level of contact with individuals who may be vulnerable due to age, disability or illness.

1	2	3	4
<p>All services where the general day to day activities does NOT bring them into contact with individuals who may be vulnerable due to age, disability or illness</p>	<p>Services that have contact with individuals who may be vulnerable due to age, disability or illness but do NOT provide a direct service to them e.g. electricians, refuse collections.</p>	<p>Services that have frequent contact with individuals who may be vulnerable due to age, disability or illness and provide direct services to them e.g. day care.</p>	<p>Regulated services (OFSTED, CQC etc.)</p>
<p>Advised of the commissioning organisation's safeguarding responsibilities and requested to raise any issues re: safety of individuals who may be vulnerable due to age, disability or illness with Contract Manager</p> <p>In the event of any one-off contract this should be managed via the organisations/ settings safeguarding policy e.g. visitors book and no unsupervised contact with children and young people.</p>	<ul style="list-style-type: none"> • Safeguarding policy • Disciplinary Policy • Safeguarding induction/ awareness training to include whom to report concerns to i.e. named individual • Named individual is aware of action to be taken • Safe recruitment; including ISA registration where required • Code of Conduct 	<p>As column 2 plus</p> <ul style="list-style-type: none"> • Level 1 safeguarding training (and Level 2/3 training commensurate with role responsibility) • Managing Allegation procedures that is compliant with LSCB procedures • Health and Safety procedures e.g. Supervision ratios, child-seat restraints • Adult services compliance with SSAB organisational Safeguarding Adults Standards – see below. 	<p>As column 2 & 3 plus:</p> <ul style="list-style-type: none"> • For services to children and young people compliance with LSCB organisational safeguarding standards. i.e. requirements of s11 Children Act 2004 see below. • For adult services compliance with CQC Essential Standards and SSAB organisational Safeguarding Adults Standards – see below.

Solihull Local Safeguarding Children Board Safeguarding Standards (as referred to in Table 1)

Standard 1 – All partner organisations/services have a senior manager/individual responsible for safeguarding and promoting welfare activities

Standard 2 – All partner organisations/services have a clear statement of their responsibilities towards children and young people available for all

Standard 3 – All partner organisations/services have an accountability structure for work to safeguard and promote the welfare of children and young people

Standard 4 – All partner organisations/services ensure service development takes account of the need to safeguard and promote the welfare of children and young people

Standard 5 – All partners organisations/services ensure personnel are trained in safeguarding and promoting the welfare of children and young people.

Standard 6 – All partner organisations/services ensure that all staff with access to children and young people are properly selected and vetted to ensure inappropriate individuals do not gain access to children or young people.

Standard 7 – Partners organisations/services contribute to effective inter-agency working to safeguard children and young people.

Standard 8 – Partner organisations/agencies have arrangements in place for effective information sharing.

Standard 9 - All partner organisations/service address issues of diversity in their work to safeguard children and young people.

Standard 10 - All partner organisations/service work closely and effectively with Solihull LSCB through agreed mechanisms to monitor their performance in safeguarding and promoting the welfare of children and young people and evaluate effectiveness of the standards in this document.

Standard 11 - All partner organisations/service have in place written procedures for handling complaints and allegations against staff.

Standard 12 - All partner organisations/service have processes and procedures in place so a safe working environment is created and maintained.

Solihull Safeguarding Adults Board Safeguarding Standards (as referred to in Table 1)

All partner organisations/agencies:-

Standard 1 – Identify a senior manager/individual responsible for ensuring safeguarding vulnerable adult arrangements and the promotion of independence, well being and choice.

Standard 2 – Have a clear statement of their responsibilities towards safeguarding adults at risk and maintaining and promoting dignity, choice and independence.

Standard 3 – Have a robust safeguarding adult's procedure which is compatible with Solihull's Multi Agency procedures and details clear lines of accountability.

Standard 4 – Ensure service development takes account of the need to safeguard adults at risk, promote independence, wellbeing and choice, and is informed by the views of people who use the service.

Standard 5 – Have robust recruitment practices.

Standard 6 – Ensure staff working with adults at risk have the relevant qualifications, knowledge, skills and experience to carry out their role.

Standard 7 – Have arrangement in place for effective information sharing and partnership working.

Standard 8 – Recognise and respond appropriately to issues of diversity in their safeguarding practices.

Standard 9 – Work closely and effectively with Solihull's Safeguarding Adults Board through agreed systems to monitor performance in Safeguarding and promoting independence, wellbeing and choice.

Standard 10 – Are committed to maximising dignity, choice, control and inclusion and protecting their human rights as important ways of meeting their individual needs and reducing the potential for abuse.

Standard 11 – Have in place procedures for handling complaints, allegations against staff and whistleblowing.

Standard 12 – Follow the 5 principles of The Mental Capacity Act 2005.

12.3 Quality Concerns Framework

This framework relates to health and social care providers within the Solihull Borough as well as out of Borough providers which Solihull contracts with. It has been developed to establish clear links between;

- commissioning and quality monitoring,
- Adult Social Care Assessment and Care Management,
- Safeguarding Adults.

Commissioning and Quality Monitoring are responsible for ensuring contract compliance and quality of provision to ensure appropriate standards of care are provided. Their main area of responsibility is the quality of the provision as a whole.

Adult Social Care Assessment and Care Management are responsible for ensuring individuals using the service receive appropriate care to meet their needs. Their main areas of responsibility are the assessment, care and support planning with individuals, (or signing off care and support plans if Direct Payment is in use), facilitation of services, review of care and support plans and Safeguarding.

Safeguarding Adults procedures should be initiated when there is concern and/or evidence that an individual has experienced significant harm, abuse or mistreatment.

The following flowchart sets out the process for responding to quality concerns about a service. Concerns may have been identified as a result of;

- a Quality Assessment (carried out by an SMBC Care Quality Monitoring Officer)
- complaints, provider activities or other concerns
- a CQC inspection or Warning Notice,

This framework includes a suite of procedures and as such refers to;

- Care Quality Monitoring Process
- Safeguarding Adults Multi-agency Procedure
- Quality Concerns Multi-Agency Meeting Guidelines
- Temporary Suspension of Placements Procedure
- Termination of Contracts Procedure
- Emergency Closures Procedure

