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**Guidance for safeguarding provisions within CBC contracts**

**Safeguarding responsibility relates to work/ contact with/ access to information about children and young people (aged 0 - 18) or adults at risk of harm. The term adults at risk of harm is often abbreviated to adults at risk and is defined in the Care Act 2014 as:**

* **An adult with care and support needs that is experiencing or at risk of experiencing abuse or neglect, and is unable to protect themselves, due to their care and support needs**

**Adults at risk have historically been referred to as ‘vulnerable adults’ which is no longer recommended language due to the term ‘vulnerable’ being ambiguous and disempowering.**

Any service engaged by CBC should be provided on the basis of agreed terms or a contract – however simple. The need for safeguarding compliance, which relates to children and adults, should be checked in all contracts and included in any arrangements that fit the circumstances described in Tier 1, 2 or 3.

Three key distinctions have been made of contracted provisions in terms of safeguarding requirements. The Lead Officer procuring in consultation with the Service Manager procuring is responsible for ensuring that any contract makes proper provision for the safeguarding of adults and children. The Lead Officer and Service Manager, procuring must seek advice from a CBC Designated Safeguarding Officer, usually the Community Protection and Partnerships Manager, if the contracted work either:

Tier 1: Involves direct contact with children, young people or adults at risk

or

Tier 2: The work to be contracted take place in, or overlooks, an area which children, young people or adults at risk, regularly use

or

Tier 3: The work involves access to data about children, young people and adults at risk

In either circumstance, please ensure that safeguarding measures are detailed within the RFQ or ITT (as appropriate) that require the contractor to make appropriate and proportionate provision of the protection of adults at risk of harm and children.

The distinctions Tier 1, 2 and 3 are defined below, with the respective CBC expected standards outlined.

**Tier 1: Providers/contractors with direct contact with adults or children and young people**

Expected Standards:

1. Contractor/provider has their own safeguarding policy and procedures, as declared in any tendering process. (With long-term arrangements to evaluate continued compliance, use check list of required criteria below):
2. If contractor does not have own safeguarding policy and procedures:

Written evidence presented to show compliance with, and promotion of, the principles contained in the CBC Safeguarding Policies and Procedures (plus details of how they would report a concern), pending development of their own safeguarding policy and procedures.

1. There are complaints and disciplinary procedures to manage concerns about the behaviour of staff

**Tier 2: Work to be contracted takes place in, or overlooks, an area which children and young people or vulnerable adults regularly use**

Expected Standards:

1. The contractor has provided written evidence to show how they comply with safeguarding requirements (either their own or compliance with, and promotion of, the principles contained in the CBC Safeguarding Policies and Procedures, plus details of how they would report a concern)
2. There are complaints and disciplinary procedures to manage concerns about the behaviour of staff

**Tier 3: Work to be contracted does not involve direct contact with children, young people or vulnerable adults or take place in or overlook areas that they regularly use but does involve access to data about them**

Expected Standards:

1. The contractor provides written evidence to show how they comply with confidentiality requirements
2. The recruitment process includes appropriate checks where staff are engaged in works where there could be access to information regarding safeguarding concerns

**Evaluation procedure for compliance**

**During the creation of the RFQ/ ITT**

The Lead Officer is responsible for ensuring that safeguarding standards are detailed within the RFQ or ITT (as appropriate) that require the contractor to make appropriate and proportionate provision of the protection of adults at risk of harm and children.

**During evaluation**

When evaluating tendered bids these standards should be scored appropriately.

**At contract award stage and throughout the contract**

It is the responsibility of the Lead Officer for the contract to verify that policies and practices conform to the required standards. The Safeguarding Checklist relevant to the tier identified must be completed by the CBC Lead Officer. Assistance is available from a CBC Designated Safeguarding Officer, usually the Community Protection and Partnerships Manager. A Designated Safeguarding Officer must sign off the checks undertaken. All criteria must be in place and a copy of this signed checklist completed and filed with the contract documents.

Assistance to the Lead Officer for the contract is available from a CBC Designated Safeguarding Officer, usually the Community Protection and Partnerships Manager, throughout the process.