****

**Guidance and Evaluation procedures for safeguarding provisions within CBC contracts**

**Safeguarding responsibility relates to work/ contact with/ access to information about adults (who may have vulnerabilities[[1]](#endnote-1)) or children and young people (aged 0 - 18)**

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 Children, Families and Partnerships Manager, if the contracted work either:

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

or

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

or

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

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 vulnerable adults 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 vulnerable adults 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 Children, Families 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 Children, Families and Partnerships Manager, throughout the process.

1. Contracts that involve work with/ contact with/ access to information about adults that may be more likely to experience abuse and less able to access services or support to keep themselves safe must set out how the supplier will comply with safeguarding requirements. When considering whether the contract will involve work with/ contact with/ access to information about adults that may be more vulnerable than others it may be useful to think about whether any of the adults may be affected by factors such as:

   * a learning / physical / sensory disability
   * mental ill health or dementia
   * frailty due to age
   * acquired brain injury
   * a drug / alcohol problem
   * certain types of physical illness

   [↑](#endnote-ref-1)