



WALES AUDIT OFFICE
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Auditor General for Wales

Safeguarding arrangements – Kerbcraft scheme – **Monmouthshire County Council**

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Summary report

Children are being put at risk because of continuing weaknesses in safeguarding arrangements for the Kerbcraft scheme that the Council has not adequately addressed

- 1 In August 2014, we reported on the wider safeguarding arrangements of Monmouthshire County Council (the Council), as part of our **Local Authority Arrangements to Support the Safeguarding of Children** review. Whilst this review did not specifically consider the Kerbcraft scheme, we did identify a number of weaknesses in corporate safeguarding arrangements and made a number of proposals for improvement to the Council.

Exhibit 1: proposals for improvement

Proposals for improvement	
P1	Review the Safeguarding and Child Protection Policy to ensure it adequately covers all Council services.
P2	Ensure development of the Safeguarding and Quality Assurance Unit enables it to deliver its planned objectives.
P3	Improve the range, quality and coverage of safeguarding performance reporting to provide adequate assurance that systems are working effectively.

- 2 All 22 Welsh councils run Kerbcraft¹ schemes, which have been funded by the Welsh Government since the scheme was introduced in 2002. The Kerbcraft scheme teaches children aged five to seven years old how to be safer pedestrians. The children are taken out of school by trained volunteers, in groups of no more than three, to learn skills for crossing roads safely. A guidance manual for the scheme was developed by Strathclyde University and has been adopted by the Welsh Government for the operation of Kerbcraft schemes in Wales. The Council receives approximately £50,000 a year from the Welsh Government to run the scheme, and utilises around 70 trained volunteers in over 20 primary schools.
- 3 A joint venture company, Capita Gwent Consultancy Limited², managed the Council's Kerbcraft scheme for the 10 years from inception until 2012. The Council

¹ [Kerbcraft page on Road Safety Wales' website](#)

² Capita Gwent Consultancy Limited (CGCL) is a joint venture company formed in 2002. It combined activities of Torfaen Council, Blaenau Gwent Council, Caerphilly Council and Monmouthshire County Council. The principal activity of the company was transport consultancy. The parent company is Capita Symonds Group Limited with a holding of 51%. The ultimate parent company of Capita Symonds Group Limited is the Capita

informed us that control and operation of its Kerbcraft scheme transferred to the Council in 2012.

- 4 The Council temporarily suspended the Kerbcraft scheme in June 2015 after an officer raised concerns about safeguarding. In August 2015, we received correspondence from an individual regarding the operation of the Kerbcraft scheme by the Council. In particular, the correspondence alleged that the Council's record keeping relating to volunteers working on its Kerbcraft scheme was inadequate. The correspondence also stated that the Council could not demonstrate that Disclosure and Barring Service (DBS)³ arrangements and health and safety safeguards were being adhered to, thereby putting children at risk.
- 5 The Auditor General does not have specific powers or duties to investigate allegations made in correspondence. However, he does have 'incidental' powers to deal with correspondence in relation to his functions. Therefore, in so far as allegations made in correspondence are relevant to the Auditor General's functions, he may undertake audit work accordingly. The allegations made regarding the Kerbcraft scheme fall within the Auditor General's duty to be satisfied that the Council has made proper arrangements for securing economy, efficiency and effectiveness in the use of its resources⁴. We have therefore undertaken work to establish whether the Council's safeguarding arrangements regarding its Kerbcraft scheme were adequate.
- 6 We have concluded that **children are being put at risk because of continuing weaknesses in safeguarding arrangements for the Kerbcraft scheme that the Council has not adequately addressed**. We have come to this conclusion because:
 - there are continuing weaknesses in the Council's safeguarding arrangements for the Kerbcraft scheme; and
 - the Council has failed to act in a timely and responsible manner to improve safeguarding arrangements for the Kerbcraft scheme, and has provided inconsistent, partial and misleading information to auditors.

Group PLC. The Council holds a 12.15 per cent shareholding in the Company. CGCL is currently a dormant company, although Roger Hoggins (the Council's Head of Operations) is still a Director of CGCL.

³ The Disclosure and Barring Service (DBS) helps employers make safer recruitment decisions and prevent unsuitable people from working with vulnerable groups, including children. It replaces the Criminal Records Bureau (CRB) and Independent Safeguarding Authority (ISA).

⁴ Public Audit (Wales) Act 2004; section 17(2).

Recommendations made under Section 25 of the Public Audit (Wales) Act 2004

Exhibit 2: the following recommendations are made under Section 25 of the Public Audit (Wales) Act 2004 ('the Act')

Recommendations	
R1	The Council should keep complete records in relation to volunteers, including evidence of DBS checks, occupational health questionnaires, safeguarding training, and reference details.
R2	The Council should develop specific internal guidance and procedures for the operation of its Kerbcraft scheme so that staff are clear about how the scheme should operate.
R3	The Council should establish effective performance management and scrutiny arrangements for the Kerbcraft scheme, and clarify the roles of the Safeguarding and Quality Assurance Unit and Internal Audit in those arrangements.

- 7 Under Section 25 of the Act, the Council 'must consider the report or recommendation at a meeting held by it before the end of the period of one month starting with the day on which the auditor sends the report or recommendation to it'.
- 8 At the meeting the Council must decide whether the recommendations are to be accepted and what action (if any) to take in response to the recommendations.
- 9 Section 26 of the Act sets out the publicity requirements for such meetings.

Detailed report

There are continuing weaknesses in the Council's safeguarding arrangements for the Kerbcraft scheme

- 10 During the period 2002 to 2012, the Council's Kerbcraft scheme was operated by Capita Gwent Consultancy Limited (CGCL) on behalf of the Council using the Kerbcraft training manual⁵ as its guide. The Council has acknowledged that it did not have adequate arrangements in place at that time to monitor the effectiveness of CGCL in delivering its Kerbcraft scheme and to ensure compliance with the manual.
- 11 In September 2012, the Council took direct responsibility for its Kerbcraft scheme, with staff transferred from CGCL to the Council under the Transfer of Undertaking Protection of Employment Regulations (TUPE) arrangements. However, the Council could not provide us with any information that it had put appropriate controls in place for its operation of the scheme during the period September 2012 to June 2015.
- 12 No reports were made to either officers or Members regarding the transfer of responsibility for its Kerbcraft scheme from CGCL to the Council. The Council did not review the controls and arrangements in place relating to its Kerbcraft scheme when it took responsibility for its operation. The scheme continued to operate under the existing arrangements that had been in place for over a decade, which have now been acknowledged by the Council as being inadequate.
- 13 When the Council assumed direct responsibility for its Kerbcraft scheme it continued to use the 2008 Kerbcraft manual for general guidance. The 2008 Kerbcraft manual is the latest version available. It does not take account of safeguarding legislation changes under the Protection of Freedoms Act 2012⁶. The Council did not produce any Council-specific policy or procedural guidance for its staff (to include, for example, the requirement to maintain proper records). The Council did not clearly define the roles and responsibilities for officers operating the scheme.
- 14 In June 2015, the Council suspended its Kerbcraft scheme due to concerns raised by an officer that record keeping was poor in relation to volunteers working on the scheme. As the Council did not maintain any central record of volunteers prior to September 2015, we were unable to confirm if any of the volunteers working with children as part of the Kerbcraft scheme prior to its suspension had been subject to DBS and health and safety checks. As a result, we consider that children were placed at risk during that time.

⁵ [Kerbcraft Training Manual: A Handbook for Road Safety Professionals, Road Safety Wales' website](#). The Manual has been adopted by the Welsh Government for the operation of Kerbcraft schemes in Wales.

⁶ [Protection of Freedoms Act 2012 page on the legislation.gov.uk website](#).

- 15 The Council's Head of Operations initiated a review of the scheme in the period June to October 2015. The Council has acknowledged that a lack of key controls, record keeping, guidance and proper procedures limited accountability for the operation of the scheme, and as a result its arrangements for the safeguarding of children were inadequate. The Council held no central record of information relating to volunteers and it appeared solely reliant on verbal assurances from the Kerbcraft Co-ordinator that safe recruitment arrangements had been followed by staff operating the scheme.
- 16 The Council told us that it put strengthened arrangements in place before restarting the scheme in October 2015, including:
- a spreadsheet to record information relating to all volunteers;
 - a new procedural checklist to be completed for individual schools involved in the Council's Kerbcraft scheme; and
 - a volunteer toolkit that sets out a corporate framework for the way in which the Council recruits and manages volunteers.
- 17 Officers told us that the Council could demonstrate that no volunteers have been used to provide Kerbcraft training to children unless the following are in place:
- DBS check numbers;
 - occupational health questionnaire that has been reviewed by the Council's Occupational Health Advisor;
 - safeguarding training confirmation; and
 - provision of referee details.
- 18 The Council was unable to provide any records, however, relating to the specific actions that it said had been undertaken. There are no formal meeting notes or records of these decisions being taken. Furthermore, the scheme restarted during September 2015, earlier than the Council had claimed, and prior to any corporate clearance to do so by either the Chief Officer for Children and Young People, or the Head of Operations.
- 19 Since requesting additional evidence from the Council, we now know that the assertion made by the Council that training did not restart until October 2015 was incorrect. The Kerbcraft Co-ordinator wrote to nine schools on 10 and 11 September 2015 and told them that the Kerbcraft scheme was clear to restart after its suspension. Logs show that training took place at two schools during September 2015 (Pembroke Road School and Llantilio Pertholey School), prior to any approval to do so. We set out the chronology of events in [Appendix 1](#).

- 20 Despite the improvements made to the information held by the Council about volunteers used on the Kerbcraft scheme, there remain weaknesses in the Council's monitoring and record keeping. Specifically:

Exhibit 3: weaknesses in monitoring and record keeping for Kerbcraft

Weaknesses in monitoring and record keeping for Kerbcraft	
Council records do not clearly set out the status of volunteers	The Council records information for volunteers currently working as part of its Kerbcraft scheme as well as potential future volunteers in a single spreadsheet ('Kerbcraft at a glance') making it difficult to assess who is an active volunteer at any given time, and whether those active volunteers have been DBS checked. We were unable to determine from the records whether volunteers had provided all of the required information in accordance with the Council's requirements to enable them to work safely with children.
Arrangements for monitoring and recording DBS checks are inadequate	Whilst the individual certificate number for each DBS disclosure check is recorded, Council staff do not request, or have sight of, the actual certificate. The number given to them by the applicant/volunteer is merely recorded. Some DBS numbers recorded pre-date the Council taking responsibility for the scheme.
The Council does not follow up all volunteer references	If a volunteer has been known to the Council's Kerbcraft team in the past, references are recorded but not verified. For new volunteers, references are followed up, although these are often the relevant school head or teachers. Staff operating the Council's Kerbcraft scheme decided not to take up all references. There is no clear Council policy on this issue.

- 21 The Council has limited procedural documents to provide clear guidance to officers operating the scheme to ensure it is safeguarding children. In particular, the Council has limited guidance in relation to the taking up of references, the control of information, and the approval of individual volunteers to work as part of its Kerbcraft scheme. Whilst the Council's volunteering toolkit went live in October 2015, and was reviewed and updated in January 2016, it is a Council-wide initiative

relating to general advice, guidance and support on volunteering rather than specific guidance for individual schemes.

- 22 As at June 2016, the Council had still not developed any specific guidance for staff operating its Kerbcraft scheme. There are no Council arrangements or procedures in place to provide assurance that the scheme is adhering to the requirements as set out in the 2008 Kerbcraft manual, or the requirements relating to safeguarding as set out in the Protection of Freedoms Act 2012. The Council, through for example internal audit, has not reviewed the operation of its Kerbcraft arrangements since the Council introduced its revised controls in September 2015.
- 23 The Council does not regularly receive reports on how the scheme is operating or whether it is delivering its objectives. The Council has not clearly defined roles and responsibilities for its Kerbcraft officers and it does not have a formal framework setting out how its Kerbcraft scheme should operate. This lack of clarity limits the Council's ability to hold its Kerbcraft officers to account, to adequately manage the performance of the scheme, and to assure itself that children are safeguarded.
- 24 The Council does not have any specific guidance in relation to ensuring that the scheme and its operation meet the requirements of the Equality Act 2010 and it has not undertaken an equality impact assessment.

The Council has failed to act in a timely and responsible manner to improve safeguarding arrangements for the Kerbcraft scheme and has provided inconsistent, partial and misleading information to auditors

- 25 The Council has been aware of concerns being expressed about the Kerbcraft scheme since 2015. Initially, it assessed that these concerns were so significant to warrant the scheme's suspension. Despite being sufficiently concerned to suspend the scheme, at no time since then has the Council undertaken a formal review of safeguarding arrangements. Neither has there been any formal reporting, whether to senior officers or Members, of the factors that led to the scheme's suspension, and what mitigating actions it has taken to address concerns. There appears to be a lack of effective oversight and scrutiny of the scheme.
- 26 We are extremely concerned about the inconsistent, partial and misleading information provided to us during the course of the work we have undertaken in regard to Kerbcraft. The Council has failed to provide a thorough and coherent evidence-based response to our enquiries, and we have received inconsistent information about the chronology of events from officers. The Council has repeatedly asserted that training did not start until the service had been fully reviewed, in October 2015. Records show that this assertion is incorrect. [Appendix](#)

- 2 provides the chronology of the Council's responses to us on matters relating to our review of the Kerbcraft scheme.
- 27 Staff operating the Kerbcraft scheme appear to have provided only partial information both internally to other officers within the Council, and externally to auditors. Internal assurances were given that full record keeping of volunteers was in place. Having reviewed additional evidence provided by the Council we now know this to be incorrect. We have been told that the Council's safeguarding and volunteering officer has endorsed the current record keeping arrangements for its Kerbcraft scheme after dialogue with relevant officers and a review of the new arrangements. However, at the time of our review in May 2016, fundamental weaknesses were evident in the Council's recordkeeping of the volunteers involved. For example, the Council's spreadsheet used to record details of Kerbcraft volunteers did not contain complete information for all of the volunteers. The Council provided us with different versions of the spreadsheet that contained gaps in the information recorded.
- 28 At no point in this chronology has the Council instructed its internal audit function to examine the operation of the Kerbcraft scheme, nor has it been examined by an overview and scrutiny committee. The Council has not adequately acknowledged the possibility that failings in the scheme could exist. Instead it has allowed its Officers to defend the operation of the scheme and to provide incorrect and inconsistent information.
- 29 We are concerned that the serious issues raised by the member of staff and covered by our review of the Kerbcraft scheme have not been shared with the Council's Cabinet in keeping with good governance. From our review of the Kerbcraft scheme it is clear to us that the Council has not had sufficient regard to the recommendations in our August 2014 report on Safeguarding of Children.

Next steps

- 30 The Chief Executive and the Chief Officer – Social Care, Health & Housing have accepted the findings set out in this report.
- 31 We understand that following receipt of an earlier draft version of this report, in August 2016, the Council immediately suspended the use of volunteers within its Kerbcraft scheme. In addition a review of volunteering, including safeguarding in volunteering, has been undertaken by the Council's internal audit function, and is due to report early in 2017.
- 32 An assessment of safeguarding progress is reported to Cabinet and Council on a biannual basis. The next report will be presented in March 2017, with a revised policy planned for the first meeting of the new Council following local government elections in May 2017.
- 33 This report contains recommendations made under Section 25 of the Public Audit (Wales) Act 2004. This requires the Council to consider the recommendations at a meeting within one month of the report being issued.

Appendix 1

Chronology of events in relation to Kerbcraft

Exhibit 4: Chronology of events in relation to Kerbcraft

Chronology of events in relation to Kerbcraft		
5 June 2015	The Kerbcraft scheme is suspended by the Council.	No reports are made internally setting out the concerns or externally alerting schools to risks. The specific reasons for suspending the scheme remain unclear to us.
10 and 11 September 2015	The Kerbcraft Co-ordinator writes to nine schools informing them that the Kerbcraft scheme is restarting.	These letters name the volunteers who will be used at each school. The spreadsheet used to record information at this time ('Kerbcraft at a glance') is incomplete and does not record all volunteer information. The service has no corporate approval to restart the scheme. No mitigating actions have been put in place to strengthen the safe operation of the scheme. No formal risk assessment or evaluation of the scheme's features has been undertaken, or requested.
22 September 2015	Training is carried out at Pembroke Road School.	Twenty-eight pupils commence Kerbcraft training on this day, and in the following week. Other schools also commence training on a phased basis, using volunteers. This has repeatedly been denied by the Council and incorrect information has been given to us on a number of occasions about the restart date of the scheme. The spreadsheet in place at this time remains incomplete.
24 September 2015	Training is carried out at Llantilio Pertholey School using volunteers.	This was denied by the Council in response to a record of our findings.
8 October 2015	The service seeks approval, for the administrative arrangements put in place, from the Council's Chief Officer for Children and Young People (COCYP).	This approval process occurs after the scheme has re-started.

Chronology of events in relation to Kerbcraft		
12 October 2015	Following an exchange of e-mails, conditional approval to restart the scheme is given for just seven named schools, including Pembroke Road and Llantilio Pertholey.	The COCYP approves the scheme to restart at only seven schools although by this time records show that training has already started at nine schools in Monmouthshire.
6 November 2015	Training is provided to children at Osbaston School.	Thirty pupils begin Kerbcraft training. More training is provided in subsequent weeks. There is no corporate approval in place for this to occur.
16 November 2015	The service seeks senior approval to restart the Kerbcraft scheme in six more schools.	This is given on the basis of the service asserting that it has put adequate controls in place, rather than corporately checking that these exist. The senior officer says in an e-mail that the service should assure itself that procedures are correct. The version of the spreadsheet in place at this time is incomplete.

Appendix 2

Chronology of the Council's responses to the Wales Audit Office

Exhibit 5: Chronology of Council's responses to the Wales Audit Office

Chronology of Council's responses to the Wales Audit Office	
27 August 2015	E-mail sent to the Wales Audit Office raising concerns about child safeguarding at the Council. E-mail also sent to the Welsh Government.
9 November 2015	Grievance meeting held between officers of the Council relating to Kerbcraft.
10 November 2015	Wales Audit Office staff make the Council's Section 151 Officer aware of correspondence relating to child safeguarding matters and Kerbcraft.
8 December 2015	At a regular meeting with the Council's Chief Executive, Wales Audit Office staff raise the issue of safeguarding and Kerbcraft.
1 March 2016	Request made by the Wales Audit Office for information regarding the Kerbcraft scheme and policy, procedure and operational documentation.
4 April 2016	A file of responses is provided to the Wales Audit Office. This acknowledges that prior to June 2015 no specific Kerbcraft policies or procedures were in place. This response does not acknowledge or mention the suspension of the scheme. It becomes clear that the information provided is partial and incomplete.
21 April 2016	Meeting with the Council's Head of Operations held at Council offices. Wales Audit Office staff told that new arrangements were put in place during September 2015, and that corporate approval had been given prior to the scheme being restarted.
11 May 2016	Meeting with the Council's Highways manager and Kerbcraft Co-ordinator. Assurance given to Wales Audit Office staff that corporate approval had been given prior to the Kerbcraft scheme restarting in October 2016 on a phased basis, and that all information requested had been populated in the spreadsheet as required.
16 June 2016	Additional information provided to the Wales Audit Office by the Head of Operations.
24 August 2016	Draft findings issued to the Council.

Chronology of Council's responses to the Wales Audit Office	
12 September 2016	Response matrix provided by the Council. This asserts that the scheme restarted in October 2015 not September 2015. In addition, the Council asserts that the 'scheme was incrementally reintroduced to just seven schools in October 2015'. This information is not correct, as training was undertaken during September 2015 at Pembroke Road School and Llantilio Pertholey School. The Council also asserts that the scheme was only restarted in October 2016 once all requirements about information relating to volunteers had been completed. In addition, the response provides information about the use of volunteers, which is inconsistent with training logs we have seen.
29 September 2016	The Wales Audit Office requests further information about the exact dates and formal corporate approval to restart the scheme to clarify the conflicting and vague information that had been provided.
21 October 2016	Further information is provided by the Council – specifically about the chronology of the Kerbcraft scheme being restarted. The dates provided in the Council's response are inconsistent with other evidence and previous assertions about the decision making process. It is clear that the information provided to the auditors is incorrect, incomplete and potentially misleading.

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