**Hazards Review Policy**

**Background**

Staff in Children’s Services have a duty to make information on potential hazards (created by either people or their environments) available to other staff that may be working with children and their families. This information should be used to support the risk assessment process and should be used in conjunction with health and safety policies and procedures.

For this to be effective, the process for the recording of hazards must be robust, and hazards should be reviewed on a regular basis to ensure that the information remains accurate and relevant.

This policy relates to the recording and review of hazards on LCS and EHM. For persons who pose a risk to children (as notified by the Prison or Probation services), a separate process detailed in the link below should be followed.



This process is aligned to and directly links and relates to the recording of Hazards using Dudley’s corporate Employee Warning Systems (EWS). This Hazards Review Policy should be read in conjunction with the [Employee Warning Process Procedure](https://connect.dudley.gov.uk/documents/_layouts/15/WopiFrame.aspx?sourcedoc=/documents/shared/Health-and-Safety/EWS%20procedure.docx&action=default&DefaultItemOpen=1).

The purpose of recording a hazard is to safeguard children, their families or individuals that are connected to them, and members of staff (including those in commissioned services). Any hazard recorded in LCS or EHM must adhere to Information Governance policies and procedures. Please make sure you are fully aware of these, and the principles of the Data Protection Act, prior to requesting a hazard is recorded on to LCS or EHM. **Information Governance** can be contacted via the email address, [Information.Governance@dudley.gov.uk](mailto:Information.Governance@dudley.gov.uk), or on 01384 810394, should advice need to be taken to review proportionality.

1. **Compliance with the Data Protection legislation**
   1. Personal data can be recorded and processed where it is necessary to protect people from serious risk or where the processing is necessary for the Council to comply with a legal obligation.
   2. Where the person has not consented to the recording or processing of their information there may be other justification for the recording or processing of the information. As employers have a duty of care towards their staff, for example, under health and safety legislation, article 6(1)(c) of the General Data Protection Regulation creates a lawful basis for processing of information in markers. Any information that is recorded must be adequate, relevant and not excessive for the purposes it is being recorded.
   3. Recording / Processing of personal information may be necessary without the consent of the data subject (person who the information is about) to protect their vital interests.
   4. The Data Protection Act 2018 gives individuals the right to request access to the personal data held about them (Subject Access Request). Where there is a warning indicator against an individual's record, this should be disclosed to the individual. In exceptional circumstances however revealing the existence of, or reasons for, the Warning Indicator may also lead to a substantial risk to staff or other individuals. In such cases advice should be sought from Data Protection Officer.
   5. Individuals who are the subject of a warning indicator should be informed, unless to do so would jeopardise the safety of others e.g. perpetrator of domestic abuse if their circumstances would compromise the safety of their partner and/or children. Where the individual is a minor, or an adult needing support to understand the nature of the concerns and the implications of the warning, their next of kin, advocate or appropriate adult should be included.
2. **Agreement and Recording Guidance** 
   1. When a hazard has been identified, the allocated Social Worker or lead practitioner and their manager should refer to and follow the ‘Procedural Arrangements’ as detailed in the EWS Procedure accessible through the ‘Your Apps’ section of the Connect website and linked in this document [Employee Warning Process Procedure](https://connect.dudley.gov.uk/documents/_layouts/15/WopiFrame.aspx?sourcedoc=/documents/shared/Health-and-Safety/EWS%20procedure.docx&action=default&DefaultItemOpen=1).
   2. The Social Worker or lead practitioner and Line Manager will complete the Employee Warning System Assessment Form (in appendix 1 or available by accessing EWS) consulting with their Service Manager (Senior Manager) giving consideration to the minimum period of inclusion detailed in the EWS Procedure, clearly identifying the period that the hazard should be included on EWS and LCS/EHM.
   3. If it is agreed that the person or premises should be placed on the Employee Warning System then the authorised assessment form signed by the appropriate Head of Service will be forwarded to the Administrator who will add to EWS.
   4. The Administrator will also record the details of the Hazard and review date to the child’s file on LCS or EHM. A copy of the completed Employee Warning System Assessment Form will be attached to the child’s file on EHM or LCS.
3. **Reviewing the Hazard**
   1. In Children’s Services hazards will be reviewed every six months. This does not affect the period of time for inclusion identified as part of the EWS process.
   2. On the first working day of the month an automated report from MIT will provide details of new and existing hazards added to LCS / EHM including those for review to the Administrator. The Administrator will distribute this to Service Managers and Heads of Service for Review.
   3. When reviewing recorded hazards Children’s Services should follow this process, this does not change the EWS review requirements.
4. If the hazard no longer presents a risk, then the Allocated Social Worker or lead practitioner should discuss this with their line manager.
5. Whichever review date is reached first within 6 months on EWS/LCS/EHM, the hazard will be reviewed. The allocated Social Worker or lead practitioner should review the hazard with their line manager, and in consultation with their Service Manager, agree if it is appropriate to retain the record, or whether it should now be ended.
6. The outcome of the review should be recorded on the Employee Warning System Assessment Form Hazard and signed by an appropriate Head of Service the completed form will be forwarded to the Administrator who will update EWS, LCS and/or EHM.

**4 If the hazard is still valid:**

1. The outcome of the review should be recorded on the Employee Warning System Assessment Form Hazard with a review date being set within 6 months. This form should be signed by an appropriate Head of Service the completed form will be forwarded to the Administrator who will update EWS, LCS and/or EHM.

Appendix 1 - Employee Warning System Assessment Form

