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## LSCP Minimum Standards: Safe Commissioning

The Children Act 2004 places duties on a range of organisations and individuals to ensure their functions, and any services that they contract out to others, are discharged having regard to the need to safeguard and promote the welfare of children. This applies to all organisations with functions in relation to children or their families.

Supporting commissioners and contractors of services to maintain a 'Safeguarding First' approach, the LSCP has developed this set of minimum standards for Safe Commissioning. **These should always be considered prior to engaging any external services.**

The standards apply to all organisations that are commissioned by the Council to provide services for children, young people and families and all relevant contracts / specifications.

All organisations should:

- Have a clear commitment to safeguarding and promoting the welfare of children.
- Comply with the legal duty to safeguard and promote the welfare of children as outlined in the Children Act 1989 & 2004, Working Together to Safeguard Children 2023 and London Safeguarding Children Procedures, including requirements to:
  - Ensure all staff and volunteers receive a safeguarding induction and continued training;
  - Ensure all staff and volunteers are aware of their responsibilities to safeguard and promote the welfare of children and competent to discharge these;
  - Ensure all staff and volunteers are alert to the signs and symptoms of child abuse and neglect with specific reference to harm outside the home (including child sexual exploitation, child criminal exploitation and child-on-child abuse);
  - Ensure all staff and volunteers know what to do if they are worried about a child;
  - Ensure all staff and volunteers are alert to the signs that an individual may pose a risk of harm to children, and how to report this;
  - Have a named person responsible for safeguarding (a Safeguarding Lead) who knows how to make referrals to Children's Social Care and the Local Authority Designated Officer (LADO), and knows how to escalate safeguarding concerns;
  - Have a safeguarding policy which outlines the individual and organisational responsibilities to safeguard and includes step-by-step procedures to respond to concerns about the safety or wellbeing of children.
- Comply with safer recruitment duties as outlined in the Safeguarding Vulnerable Groups Act 2006, including compliance with Disclosure & Barring Service (DBS) checks and a whistleblowing policy.

A model agreement to include in service level agreements and external contracts is as below.

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## Minimum standards for safe commissioning: model agreement

### **Safeguarding Compliance**

The parties acknowledge that [COMMISSIONED SERVICE] is a relevant agency governed by Lambeth's Multi-Agency Safeguarding Arrangements and has a statutory duty to collaborate with the local authority, police and health services to safeguard and promote the welfare of children and vulnerable adults.

[COMMISSIONED SERVICE] must complete the safeguarding self-assessment (S11) audit as and when requested by the Lambeth Safeguarding Children Partnership (LSCP) to evidence compliance with statutory safeguarding requirements.

[COMMISSIONED SERVICE] must also reply to information requests made by the LSCP.

The parties shall ensure compliance with the requirements of the LSCP, including the requirement that there is a clear understanding of responsibilities in relation to safeguarding children and how [COMMISSIONED SERVICE] will discharge them.

[COMMISSIONED SERVICE] will ensure compliance with:

- Section 11 of the Children Act 2004: the duty to safeguard and promote the welfare of children;
- Working Together to Safeguard Children 2023: the statutory guidance outlining how this duty must be discharged;
- Section 6 and 45 of the Care Act 2014: the duty (in respect of adults) to cooperate with the local authority and duty to provide information to the Safeguarding Adults Board
- London Safeguarding Children Procedures: the local Child Protection arrangements.

### **Safeguarding Policy**

[COMMISSIONED SERVICE] must have a safeguarding policy which:

- Outlines the organisation's commitment to safeguarding
- Outlines the signs and symptoms of abuse and neglect, including specific reference to harm outside the home (including child sexual exploitation, child criminal exploitation and child-on-child abuse)
- Outlines the steps which will be taken where there are concerns about a child
- Outlines the steps which will be taken where there are concerns about a professional or volunteer
- Outlines the key safeguarding roles in the organisation, including the responsibilities of the named safeguarding lead
- Outlines how to escalate concerns and whistleblowing
- Outlines the support which will be provided to staff and volunteers.

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### **Safer Recruitment**

The parties agree to adopt the Council's Safer Recruitment Policy, Guidance, and any subsequent updates to those policies. The parties must comply with the Council's procedures and investigations as required under these policies.

### ***Disclosure and Barring Service Checks***

The parties must ensure that all staff and volunteers who have regular contact with children or vulnerable adults in the delivery of activities at this site will undergo Disclosure and Barring Service (DBS) checks, with satisfactory results. In cases where the DBS check results are unsatisfactory, the party shall conduct a Safeguarding Risk Assessment through a Risk Assessment Panel. The party must notify the Council upon completing the assessment and provide copies of any Risk Assessments to the Council's Authorised Officer upon request, ensuring that personal data is redacted. If there is a disclosure, the anonymised Risk Assessment will be shared with the Safer Recruitment Panel for their assessment of the risks involved. The parties must cooperate with the Panel's opinion regarding the continued employment or acceptance of any individual who has a DBS disclosure or has been subject to a Safeguarding Risk Assessment.

### ***Reporting of Convictions***

The parties make it a condition for all employees and volunteers to promptly report any convictions, police cautions, or warnings to the parties. The parties must also report these matters to the Council in accordance with the conditions set out in this agreement.

### **Safeguarding Practice**

The parties shall review their safeguarding practices in line with the requirements of the Children Act 1989 & 2004, Working Together to Safeguard Children 2023, the Safeguarding Vulnerable Groups Act 2006 and the London Safeguarding Children Procedures, ensuring the following:

1. All staff (including volunteers) complete Level 1 & 2 Safeguarding Training and undertake refresher training a minimum of every 3 years. This ensures that the parties meet the required safeguarding training standards.
2. Safeguarding Leads complete the LSCP Multiagency Safeguarding Level 3 Training and undertake refresher training a minimum of every 2 years. This will help maintain up-to-date knowledge and understanding of safeguarding practices.
3. There are regular quality assurance and monitoring systems to ensure safeguarding policies are consistently followed.
4. Staff are adequately trained to identify and respond to signs of abuse or neglect.
5. Staff are familiar with procedures to follow if there is suspicion of risk or significant harm.

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6. Staff understand the procedures for working with vulnerable groups, including but not limited to disabled children, children in private fostering situations, and asylum-seeking children.
7. Staff listen to and respond appropriately to concerns raised by children, young people, and their families.
8. Recruitment and staff checking procedures are audited to ensure references are verified, employment histories are complete and accounted for, and qualifications are validated.
9. Enhanced DBS checks are consistently undertaken for new staff and all staff working with children, including temporary, agency, or contract staff. DBS checks must be updated as required by law or national guidance, with satisfactory results.
10. Enhanced DBS checks must be undertaken every three years or when changes to the law or national guidance necessitate an updated DBS certificate.
11. Compliance with the Safeguarding Vulnerable Groups Act 2006, including the requirements relating to regulated activity, barred list checks, and the duty to refer individuals who pose a safeguarding risk to the Disclosure and Barring Service.

### **Breach of Safeguarding Provisions**

The Council reserves the right to undertake ad hoc checks to evidence compliance with this agreement. This includes, but is not limited to, requesting copies of [COMMISSIONED SERVICE]'s safeguarding policy and records of staff training.

A breach of the provisions set out in this Agreement shall be considered a material breach of this Agreement, entitling the Council to terminate immediately.