



*This Board exists to protect adults at risk from abuse, significant harm or neglect.
We will achieve this through strategic leadership and collective accountability.*

BOURNEMOUTH AND POOLE **SAFEGUARDING ADULTS BOARD**

CONSTITUTION/TERMS OF REFERENCE

MEMBERSHIP OF THE BOARD/EXPECTATIONS OF BOARD **MEMBERS**

Date: Last updated 15 Mar 2016

- 1.1 To ensure the effective co-ordination of services to safeguard and promote the welfare of adults in accordance with the Care Act 2014 and Care and Support Statutory Guidance 2014.
- 1.2 The Bournemouth and Poole Safeguarding Adult Board aims to achieve its objectives whilst supporting individuals in maintaining control over their lives and in making informed choices without coercion. In achieving this, the following 6 key principles must be followed:-
- ▶ **Empowerment:** people being supported and encouraged to make their own decisions, presumption of person led decisions and informed consent;
 - ▶ **Prevention:** wherever possible the aim will be to take action before harm occurs and ensure early engagement with all relevant people;
 - ▶ **Proportionate:** Response appropriate to the risk presented; least intrusive response where possible;
 - ▶ **Protection:** support and representation for those in greatest need;
 - ▶ **Partnership:** local solutions through services working with the individuals communities. Ensure engagement with local communities to prevent, detect and report abuse;
 - ▶ **Accountability:** transparency in delivering safeguarding.

2 OBJECTIVES

- 2.1 The Board's objective is to improve local safeguarding arrangements and ensure partnerships act to help and protect adults at risk or experiencing neglect and/or abuse. The SAB is a multi-agency strategic Board that will coordinate the strategic development of Adult Safeguarding across Bournemouth and Poole and ensure the effectiveness of the work undertaken by Partner Agencies in the area.
- 2.2 Whilst the SAB has a role in coordinating and ensuring the effectiveness of work being done by local individuals and organisations in relation to safeguarding and promoting the welfare of adults, it is not accountable for their operational work. Each Board Partner has their own existing lines of accountability for safeguarding and promoting the welfare of adults by their services. The Board does not have the power to direct other organisations.

- 2.3 The Board will receive and scrutinise regular quality-assurance reports by individual agencies quarterly (as a minimal requirement) to identify good practice and highlight any shortcomings within agencies. If shortcomings are identified the Board and the agency in question will agree a remedial action plan. The implementation and resulting impact of the action plan will be reviewed by the Board.
- 2.4 If the Board is not convinced of the adequacy of the planned action to improve practice, the Board Chair, in consultation with the Director of Adult Social Services ['DASS'], will explain these concerns to those individuals and organisations concerned, and seek to provide support and ensure adequate action is taken to improve practice.

3. FUNCTIONS

- 3.1 The core duties of the Board are set out in Chapter 14 of the Care Act Statutory Guidance, issued under S78 of the Care Act 2014 which requires the Board to:-
1. Publish a three year Strategic Plan, supported by an annual Business Plan detailing how it will meet its main objective and what Members will do to achieve this;
 2. Publish an Annual Report detailing what the Board has done during the year to achieve its objectives and implement its Strategic Plan and what Members have done to implement the Strategy.
 3. Conduct any Safeguarding Adults Review in accordance with S44 of the Care Act 2014.
- 3.2 In order to fulfil its core duties the Board will develop initiatives, plans, policies and procedures for Safeguarding Adults in their area to include:
- a. The role, responsibility, authority and accountability with regard to the action each agency and professional group should take to ensure the protection of adults.
 - b. establish ways of analysing and interrogating data on safeguarding notifications and completed enquiries which increases the SABs understanding of prevalence of abuse and neglect locally that builds up a picture over time;
 - c. QA Chair to report to Board with regards Quality Surveillance Group data;
 - d. establish how it will hold partners to account and gain assurance of the effectiveness of its arrangements;
 - e. determine its arrangements for peer review and self-audit;
 - f. establish mechanisms for developing policies and strategies for protecting adults which should be formulated, not only in collaboration and consultation with all relevant agencies but also take account of the views of adults who have needs for care and support, their families, advocates and carer representatives;
 - g. develop preventative strategies that aim to reduce instances of abuse and neglect in its area;
 - h. identify types of circumstances giving grounds for concern and when they should be considered as a referral to the local authority as an enquiry, including referral pathways and thresholds for intervention;
 - i. formulate guidance about the arrangements for managing adult safeguarding, and dealing with complaints, grievances and professional and administrative malpractice in relation to safeguarding adults;

- j. develop strategies to deal with the impact of issues of race, ethnicity, religion, gender and gender orientation, sexual orientation, age, disadvantage and disability on abuse and neglect;
- k. balance the requirements of confidentiality with the consideration that, to protect adults, it may be necessary to share information on a 'need-to-know basis';
- l. identify mechanisms for monitoring and reviewing the implementation and impact of policy and training;
- m. carry out safeguarding adult reviews and advise the local authority and Board Partners on lessons to be learned;
- n. produce a Strategic Plan and an Annual Report;
- o. evidence how Board members have challenged one another and held other Boards to account;
- p. Review and comment on the impact for safeguarding of individual member agencies' operational strategic decision making, including budgetary considerations; and
- q. the Board will engage in any other activity that facilitates or is conducive to, the achievement of its objectives.

3.3 The SAB will maintain:-

- A Case Review Framework, Quality Assurance Framework and a local learning and development strategy, which is shared across local organisations who work with adults.
- Monitor and evaluate the effectiveness of action plans arising from the Case Review and Quality Assurance frameworks and of all training, including multi-agency training, for professionals in the area.

3.4 In all activities the SAB will promote the equality of opportunity and to meet the diverse needs and wishes of adults at risk in the area.

4 RELATIONSHIP WITH OTHERS

4.1 The SAB recognise other partnerships and organisations work in Bournemouth and Poole and have responsibilities to address issues relevant to safeguarding adults at risk. To ensure effective communication and lead accountability in issues which traverse groups, the SAB will develop working protocols with:-

- The Health & Wellbeing Board
- The Local Safeguarding Children Boards
- The Community Safety Partnership Board
- Domestic Violence Strategy Groups

4.2 It will play a strong role in supporting information sharing between and within organisations and addressing any barriers to information sharing, ensuring that a culture of information sharing is developed and supported as necessary by multi-agency training.

5. BSAB CHAIR & ACCOUNTABILITY

- 5.1 The Care Act 2014 requires Bournemouth and Poole Councils as a Local Authorities to establish a SAB. The SAB is independent of the Council. In order to provide effective scrutiny it will not be subordinate to, nor subsumed within other local structures.
- 5.2 The SAB will have an Independent Chair to hold all agencies to account.
- 5.3 It is the responsibility of the Chief Executives to appoint, monitor or remove the SAB Chair with the agreement of a panel including SAB partners. The Chief Executives and, where appropriate, the Lead Members will hold the Chair to account for the effective working of the SAB in consultation with SAB members.
- 5.4 The SAB Chair should work closely with all SAB partners and particularly with the Directors of Adult Social Care.¹
- 5.5 The Chair will ensure the SAB publish a three year Strategic Plan supported by an annual business plan. This plan should address both short and longer term actions and must set out how it will help adults in its area and what action each member of the Board will take to deliver the plan and protect better. When preparing the plan the Board must consult the local Healthwatch and involve the community.
- 5.6 The Chair must ensure the SAB publish an annual report on its activities including an assessment of the effectiveness of local safeguarding arrangements and the challenges for the next year to relevant Statutory Bodies. The annual report must also provide information about any Safeguarding Adults Reviews (SAR's) and how the Board is monitoring progress against its policies and intention to deliver its Strategic Plan. The annual report should be published in relation to the preceding financial year and should fit with local agencies' planning, commissioning and budget cycles. The report must be submitted to the following:-
- Chief Executives and Leaders of Bournemouth Borough Council and Borough of Poole;
 - The Police Chief Constable;
 - The Chair of the Health and Wellbeing Board;
 - The Chief Operating Officer of Dorset Clinical Commissioning Group; and
 - The local Healthwatch

6. THE ACTIVITIES OF THE BOARD

- 6.1 In pursuit of its aims the SAB will:-
- adopt the financial year April 1st – March 31st;
 - Hold its meetings at least four times per year;

¹ The Director of Adult Social Services has the responsibility within the local authority, in accordance with the Children Act 2004 which makes an amendment to Section 6 of the Local Authority Social Services Act 1970 ("the 1970 Act"). This amendment requires a Local Authority with Social Services responsibility in England to appoint an officer as the Director of Adult Social Services, once a Local Authority exercises its power to appoint a Director of Children Services.

- Require a quorum of at least one third of the voting membership in order to have a fully constituted meeting;
- Always seek to operate on a consensus basis. If it is not possible to reach a consensus, members will be required to undertake a formal vote on a simple majority basis, which will be recorded. Each statutory agency's representative in attendance will have a single vote. In the event of a tied vote the Chair will have the casting vote;
- Review its Constitution on an annual basis at the first meeting of each financial year following a formal consultation process with the statutory agencies;
- Review and adopt the Terms of Reference for the sub groups on an annual basis at the first meeting of each financial year following a formal consultation process with the sub groups;
- Keep a written record of all Board meetings and meetings of its Sub Groups;
- Any member of the full Board may submit items to be included on the agenda of a main meeting of the SAB supported by a written statement/report to the Chair at least 10 working days before the meeting.
- Agenda and reports will be circulated generally at least 5 working days prior to the meeting;
- The SAB are committed to transparency and will, at the discretion of the Chair having exercised due caution regarding Data Protection obligations or similar legal considerations, publish Board meeting minutes, report and key performance data.

6.2 The SAB will also operate sub groups, which will carry out the day to day operational functions of the SAB. All sub groups will have an annual work plan, which will derive from the LSAB annual business plan to support the operational functions of the Board.

6.3 In order to carry out these functions the following sub groups will meet regularly as appropriate:-

- Chairs
- Quality assurance/to include reports from Quality Surveillance Group
- Policy and Procedures
- Safeguarding Adults Review Panel
- Training and Workforce Development Group

Time limited task groups may also be convened to deliver priority areas of work according to the business plan of the Board.

6.4 Chairs of Sub-Groups will be SAB Members in order to ensure a link and effective communication and feedback to the Board. The Sub-Groups will report to the Board at each meeting to evaluate their progress against the Business Plan and address any issues arising from the Sub Group work.

6.5 The SAB delegates power to the sub-groups to:-

- a. carry out any work related to the different sections of the Business Plan;
- b. undertake consultation as appropriate;
- c. take a decision in reference to a specific item on behalf of the Board where authority to do so has been properly delegated by the Board;
- d. prepare a response to consultation matters on behalf of the Board;
- e. investigate a particular issue;
- f. publish material on behalf of the Board; and
- g. discharge any functions delegated to it from the Board.

7. **FREEDOM OF INFORMATION**

7.1 The Safeguarding Adults Board acts on behalf of the relevant organisations and any information it holds is the property of those organisations. In view of this any requests for information under the Freedom of Information Act that the Safeguarding Adults Board may receive will be directed to the relevant organisations, which will respond in accordance with the legislation.

8. **MEMBERSHIP**

8.1 Schedule 2 of the Care Act 2014 defines which Statutory Board Partners are required to have membership on the Board. In addition membership of the Board will include such other persons as the Local Authority which established it, having consulted the other Statutory Members as listed in sub-paragraph 1 of Schedule 2 considers appropriate.

8.2 Board Partners should designate a particular named person in a senior strategic lead position within their organisation as the member of the Board to ensure consistency and continuity.

- 8.3 Members will need to be people with a strategic role in relation to safeguarding and promoting the welfare of adults within their organisations. They should be able to:-
- Speak for their organisations with authority;
 - Commit their organisations on policy and practice matters;
 - Hold their organisations to account.
- 8.4 Members are required to nominate a suitable alternative representative in the event of them being unable to attend meetings who have the authority to commit their organisation to decisions.
- 8.5 Membership of the Safeguarding Adults Board will consist of representatives from agencies across Bournemouth and Poole and Dorset as detailed in Appendix 1 (*attached*).
- 8.6 The Board will secure the involvement of other relevant organisations, either by inviting them to be representatives of its sub-groups, through invitation for specific issues for discussion of a SAB meeting or through some other mechanism.
- 8.7 At the discretion of the Chair of the Board, observers can attend Board meetings. Observers are interested individuals who have been invited to attend Board meetings. At the discretion of the Chair of the Board observers can address the meeting but they are not members of the Board and cannot vote.

9. **CODE OF PRACTICE**

- 9.1 Members of the Board will operate in accordance with the Constitution, and relevant Role Descriptions in Appendix 2 (*attached*).
- 9.2 There will be an agreed Induction Programme for all new members.

10. **FINANCIAL ARRANGEMENTS**

- 10.1 SAB Partners have agreed to the establishment and maintenance of a Pooled Fund pursuant to Schedule 2 of the Care Act 2014 which will be managed by Borough of Poole on behalf of Board Partners. The financial contributions and budget is agreed annually and included in the relevant Board papers.

11. **DISPUTES AND COMPLAINTS**

- 11.1 The Board is intended to be a collaborative, co-operative body and needs to ensure that no particular sector or member is unduly favored. Problems and issues should normally be debated and resolved at Board meetings.

COMPLAINTS

- 11.6 The Board shall refer all complaints from members of the public in relation to the provision or performance of any function of a member organisation to the Board Partner's own internal complaints handling process.

11.7 Complaints regarding the operation of the Board should be addressed to the Chair who will investigate and attempt to reach satisfactory resolution with the complainant.

12. NON COMPLIANCE OF ACTIVITIES

12.1 The work of the SAB will be set out in the Business Plan. In time for the start of each financial year all member agencies will sign an agreement stating their commitment to fulfill their obligation to safeguard and promote the welfare of adults. This will include a commitment to fulfilling their role within the SAB.

12.2 Issues of non-compliance will, in the first instance, be referred to the Chair of the Board who will investigate and attempt to reach satisfactory resolution through discussion with the representative of the agency concerned. In the event of satisfactory resolution not being reached, the matter will be referred back to the Chief Officer within the agency, to the relevant inspectorate, and, if necessary, to the relevant government Department.

13 MONITORING AND INSPECTION

13.1 The SAB's role is to ensure the effectiveness of work to safeguard and promote the wellbeing of adults at risk of abuse or neglect by member organisations and as such the SAB will monitor and evaluate this through its work. The SAB will publish performance against objectives set out in the business plan within the Annual Report.

14. OVERVIEW AND SCRUTINY

14.1 The SAB and its members will co-operate with any reasonable request by the Council in respect of its Overview and Scrutiny functions under Section 21 Local Government Act 2000 and as a minimum will meet once a year to provide independent dialogue on Safeguarding.

Appendix 1

MEMBERSHIP OF THE BOURNEMOUTH AND POOLE SAFEGUARDING ADULTS BOARD

The Care Act indicates that the board **must** include the Local Authority, the Clinical Commissioning Group and the Police.

Safeguarding Adults Boards **may** also include a wide range of other organisations and indeed are encouraged to consider which can contribute to the aims of the Board.

The membership of the Bournemouth and Poole Safeguarding Adults Board which is Care Act compliant consists of:

Independent Chair

Bournemouth Borough Council Director with accountability for Adult Social Care

Borough of Poole Director with accountability for Adult Social Care

Bournemouth Borough Council Senior Representative for Adult Social Care Services

Borough of Poole Senior Representative for Adult Social Care Services

Bournemouth Borough Council Senior Representative for Adult Social Care Commissioning

Borough of Poole Senior Representative for Adult Social Care Commissioning

Bournemouth Borough Council Strategic Housing

Borough of Poole Strategic Housing

Dorset, Devon & Cornwall Community Rehabilitation Company

Dorset Fire & Rescue Service

Dorset Police

Dorset Clinical Commissioning Group

Dorset Health Care University NHS Foundation Trust

Dorset National Probation Service (and approved premises representative)

Elected Member – Poole

Elected Member – Bournemouth

NHS England (Wessex)

Poole Hospital NHS Foundation Trust

Royal Bournemouth & Christchurch Hospitals NHS Foundation Trust

South Western Ambulance Service NHS Foundation Trust

Voluntary Sector Representative

Independent Sector Provider representative

People who use Adult Social Care

Through consultation with Board members it is agreed that the views of People who use Adult Social Care would be appropriate for Board members/Business Manager to go to environments where people who are using services are comfortable in, to seek their views, rather than expecting them to “come to us” in our relatively formal environment. Forums such as the Learning Disability Partnership Boards, Mental Health Forum, Carers Forum can be updated on the activity of the Board and can provide feedback and input to various pieces of work as and when required.

Appendix 2

BOURNEMOUTH AND POOLE SAFEGUARDING ADULTS BOARD

EXPECTATIONS OF BOARD MEMBERS AND CONFIDENTIALITY AGREEMENT

1. INTRODUCTION

In line with the direction of travel of the Care Act the Chair of the Bournemouth and Poole Safeguarding Adults Board proposes the introduction of a 'expectation of board members' or job description for Board document aimed at clarifying roles and responsibilities This document would be to set out the expectations of current and prospective Board members and be read in conjunction with the following current documents:

- Constitution
- Policy (from Policy and Procedures)
- Strategic objectives
- One year Business Plan (action plan)

2. EXPECTATIONS OF BOARD REPRESENTATIVES (job description)

Key Objective

- Share the responsibility of ensuring that the Bournemouth and Poole Safeguarding Adults Board is effective in achieving its functions.

*This Board exists to protect adults at risk from abuse, significant harm or neglect.
We will achieve this through strategic leadership and collective accountability.*

Roles and Responsibilities

Members who attend in a professional and managerial capacity should:

- Understand the pressures facing front line practitioners
- Be able to present issues clearly in writing and in person
- Attend all meetings of the Board and contribute to debate and decision-making or send suitable representative.
- Represent own organisation and speak for the organisation with authority.
- Commit own organisation on agreed policy and practice matters
- Promote/champion safeguarding work within own organisation.
- Hold own organisation to account for the quality of safeguarding work.

- Raise safeguarding issues requiring inter-agency discussion with the Chairs' Group or Chair of the appropriate subgroup.
- Contribute in person or nominate appropriate staff to serve on Subgroups and working groups as required.
- Ensure the provision of activity reports and service audit reports to the forum.
- Receive concerns raised by the audit process and ensure these are acted on within own agency.
- Act as a single point of contact for discussing issues and problem resolution between agencies
- Contribute to Safeguarding Adult Reviews (or nominate appropriate individuals from organisation as required)
- Take responsibility to ensure learning from SARs is promulgated through own agency.

Membership will be reviewed every 2 years.

In your role as Member of the Bournemouth and Poole Safeguarding Adults Board you will have access to certain 'personal and business' information which is highly confidential and sensitive, (whereby disclosure may cause irreparable damage to the Board), which may be held in electronic format or on paper or similar hard copy, or may be spoken in face to face or telephone conversations or in meetings and is of a confidential nature.

The personal and business information held by The Board and its constituent agencies is subject to the common law duty of confidentiality (i.e. where you are trusted with potentially sensitive information in confidence and are obliged not to disclose the information without permission from The Board). You are also bound by the Data Protection Act 1998 which provides for the protection of personal information and expected to hold this beyond your involvement with the Board.

Any reports or other papers, in electronic format or otherwise, are to be stored securely at all times including keeping all documents in a locked filing cabinet.

Attendance at board meetings will be monitored and reported through the quality assurance group, non-attendance will be challenged if required.

Leaving the Board

In the event of a member no longer representing their agency, reasonable notice should be given to the Business Manager so that a replacement can be sourced.

The organisations of the Board have the responsibility for deciding who acts as their representative(s). The representatives must be of sufficient seniority to ensure that the expectations set out in this document, can be fulfilled by their

organisation. This includes ensuring that they provide sufficient time and resources for their representative(s) to fully engage and participate in the work of the Board.

Representatives are appointed to personally discharge the functions of the Board on behalf of their organisation and are expected to have a named substitute to attend on the few occasions they cannot. .

An appointed Member of the Board may be removed at any time by the agency they represent and a replacement nominated.

Where the Chair has reasonable cause to believe that the need for removal of a representative, he/she may invite the organisation to suspend the Member until such time as the procedure in can be completed at the next available meeting of the Board.

15.03.16