

WAKEFIELD & DISTRICT

safeguarding adults board

CONSTITUTION

Revised January 2018 (v1)



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WAKEFIELD & DISTRICT SAFEGUARDING ADULTS BOARD

CONSTITUTION

1. Introduction

Safeguarding means protecting an adult's right to live in safety, free from abuse and neglect. It is about people and organisations working together to prevent and stop both the risks and experience of abuse or neglect, while at the same time making sure that the adult's wellbeing is promoted including, where appropriate, having regard to their views, wishes, feelings and beliefs in deciding on any action.

2. Purpose

The Safeguarding Adult Board should:

- Identify the role, responsibility, authority and accountability with regard to the action each agency and professional group should take to ensure the protection of adults.
- Establish ways of analysing and interrogating data on safeguarding concerns that increase the SAB's understanding of prevalence of abuse and neglect locally that builds up a picture over time.
- Establish how it will hold partners to account and gain assurance of the effectiveness of its arrangements.
- Determine its arrangements for peer review and self-audit.
- 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.
- Develop preventative strategies that aim to reduce instances of abuse and neglect in its area.
- Identify types of circumstances giving grounds for concern and when they should be considered as a referral to the Local Authority as an enquiry.
- Formulate guidance about the arrangements for managing adult safeguarding, and dealing with complaints, grievances and professional and administrative malpractice in relation to safeguarding adults.
- 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.

- 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'.
- Identify mechanisms for monitoring and reviewing the implementation and impact on policy and training.
- Carry out safeguarding adult reviews.
- Produce a Strategic Plan and an Annual Report.
- Evidence how SAB members have challenged one another and held other Boards to account.
- Promote multi-agency training and consider any specialist training that may be required. Consider any scope to jointly commission some training with other partnerships, such as the Community Safety Partnership.

Mechanism to Support Purpose

In order to assist the Wakefield District Safeguarding Adults Board in discharging its responsibilities, it will appoint the following: (Chaired by members of the Board)

- Quality and Performance Sub-Committee
- Learning & Development Sub-Committee
- Safeguarding Adult Review Panel (as required)
- Quality Intelligence Group

Other short life task groups may be established from time to time as required.

3. The Aims of Adult Safeguarding

- Stop abuse or neglect wherever possible.
- Prevent harm and reduce the risk of abuse or neglect to adults with care and support needs.
- Safeguard adults in a way that supports them in making choices and having control about how they want to live.
- Promote an approach that concentrates on improving life for the adults concerned.
- Raise public awareness so that communities as a whole, alongside professionals, play their part in preventing, identifying and responding to abuse and neglect.
- Provide information and support in accessible ways to help people understand the different types of abuse, how to stay safe and what to do to raise a concern about the safety or wellbeing of an adult.

- Address what has caused the abuse or neglect.

4. Membership

The Care Act statutory membership of the WDSAB is:

- The Wakefield Local Authority
- The Wakefield NHS Clinical Commissioning Group (represents YAS as well)
- The Wakefield Police Representative of West Yorkshire Police

Other current voting representative members of the WDSAB are:

- NHS England
- West Yorkshire Fire and Rescue Service
- Private Sector Providers of Services Representatives
- Mid Yorkshire Hospitals Trust
- South West Yorkshire Partnership Foundation Trust
- Spectrum Health
- Healthwatch
- Elected member for Adult Services
- Prison Representative
- Voluntary sector representative
- Advocacy representation

Links to Other Partnerships

The WDSAB does not work in isolation and requires both strategic and operational co-operation with other Boards and risk management processes such as:

- Children's Board
- Health and Wellbeing Board
- Community Safety Partnership
- Domestic Abuse Management Board
- MARAC Strategic Steering Group
- Contest Silver Group
- MAPPA (Multi-Agency Public Protection Arrangements)

In an advisory capacity the following will be co-opted non- voting members of the Board:

- Safeguarding Adult Board Business Manager
- Legal Services
- CQC Representative

Other agencies / organisations may become members of the Board as appropriate.

5. Representation

- All agencies should recognise the importance of securing effective co-operation by appointing senior officers or professionals to the WDSAB as their representatives. Each agency will, on an annual basis be required to reiterate their commitment to the Board and its principles.
- There is a clear, agreed responsibility of all members to represent their organisations and ensure that agreed actions take place in their own organisations and those with whom they have contacts and influence. Nominees of the Private, Voluntary and Independent Sectors will promote the Board and its activity through existing structures and advise the Board accordingly.
- Those members representing individual agencies should have sufficient knowledge of adult safeguarding to contribute to the work of the WDSAB. They will have sufficient delegated authority to allow them to speak on their agency's behalf, and to make decisions to an agreed level, without referral to their own agency. This will enable the WDSAB to operate effectively.
- A person-specification, drawn up by the WDSAB, to assist agencies in securing appropriate representation is included in Appendix 1.

6. Accountability

- The Care Act 2014 requires Wakefield Council to establish a Safeguarding Adults' Board. The WDSAB is independent of the Council and in order to provide effective scrutiny it will not be subordinate to, nor subsumed within other local authority structures.
- The WDSAB will have an Independent Chair to hold all agencies to account, appointed by a panel of Board members who works to a contract agreed with the members and the Director of Adult Social Services (DASS)
- The WDSAB Chair will work closely with all board partners and particularly with the DASS.
- The members listed in 4. Are jointly responsible for the action of the WDSAB.
- WDSAB members are accountable to the WDSAB. This is via their accountability to the agencies that they represent.
- Each constituent agency should contribute to the development and ownership of the policies, procedures, and actions of the WDSAB.
- The WDSAB will produce a strategic plan in consultation with Healthwatch, and developed with local community involvement.
- All WDSAB members will take the annual report through their internal governance procedures where they have the necessary structure to allow this.

- The WDSAB will present its annual report to the Health and Wellbeing Board, the Council Overview and Scrutiny Committee and other forums as agreed with the Chair.

7. Responsibilities

The WDSAB will focus on adults:

- Who have needs for care and support (whether or not the authority is meeting any of those needs).
- Is experiencing, or is at risk from abuse or neglect.
- As a result of those needs is unable to protect himself or herself against the abuse or neglect or the risk of it.

Strategies for the prevention of abuse and neglect is a core responsibility of the WDSAB which requires an overview of how this is taking place in the district and how this ties in with the Health and Wellbeing Board, NHS Quality Surveillance Group, Community Safety Partnership and the Care Quality Commission.

The WDSAB will also seek feedback from the community, particularly those adults who have been involved in a safeguarding enquiry.

8. Arrangements

- The WDSAB will be chaired by an independent person.
- The WDSAB will elect a Vice Chair who will assume the Chair in the absence of the Chairperson.
- The WDSAB will meet quarterly. The Chair can agree the convening of extraordinary meetings when circumstances require.
- In order to be quorate the Chair or Vice Chair must be present and all three statutory partners must be represented.
- In exceptional circumstances such as where one of the statutory agencies cannot attend due to a major incident, the SAB meeting can be considered quorate for all issues which do not require members to vote. The absent agency will be consulted on the content of any board minutes to include their views prior to any minute's finalisation. For any issues which require a vote this will be remitted to the next SAB meeting or an extraordinary meeting convened for any urgent, important issue on which a decision has to be made.
- Expert professional advice will be sought as and when required.
- The WDSAB will provide a coordinated response to media enquiries on behalf of the partner agencies.

- The WDSAB will work to the financial year April – March and will produce a three year strategic plan which is updated on a yearly basis for sign off each April.
- The Board will 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 agency's representative in attendance will have a single vote. In the event of a tied vote the chair will have the casting vote.
- Where any decision is being put to a vote, agencies will be required to make any declarations of interest. The Chair will then decide if any such declaration will require a suspension of the members vote on the particular issue in question.
- A written record of all board meetings and sub groups will be made and retained.
- Any member of the board may submit items to be included in the Board meeting agenda, supported by a written report at least 10 days before the meeting.
- Agenda and supporting documentation will be circulated generally 5 working days prior to the meeting.
- The WDSAB will produce an annual report each year which demonstrates the activity undertaken to achieve the strategic plan, the contribution from all partner agencies and any safeguarding adult reviews completed during the period of reporting. The annual report is a statutory requirement and contains the necessary information to ensure the WDSAB is linked to a robust governance procedure.

9. Funding

The Local Authority funds a board Business Manager and Administrator at a FTE cost of £73,613.00.

In addition to this the Care Act Statutory partners to the Board have agreed the following contributions to ensure the Board can fulfil its statutory functions and achieve the objectives of the partnership strategic safeguarding plan.

- Local Authority £20,000
- Wakefield Clinical Commissioning Group £20,000
- West Yorkshire Police.£5,680 (5% of the WDSAB total budget)

A financial report will be presented to each quarterly SAB meeting regarding the financial position of the board.

Other board partners contribute to the WDSAB in other ways, such as ensuring allowing their staff time to take part in safeguarding activities, attend meetings and contribute to event planning and other functions.

Members also contribute by providing free meeting and conference rooms for safeguarding board activities.

The Business Manager will have delegated authority from the Board to authorise payments from the budget which support the strategic objectives / plan of the WDSAB up to a maximum of £5,000 for any single payment.

Spending in excess of this amount must be discussed with the three statutory partners who contribute to the board's budget who must approve the payment prior to the Business Manager authorising payment.

10. Procedures

- The WDSAB, as part of signing up to a joint area of West Yorkshire / North Yorkshire and York, will produce a 'Safeguarding Adults Policy and Procedure' which is compliant with the Care Act.
- The West & North Yorkshire and York Safeguarding Adults Policy and Procedure will contain agency and inter-agency procedures for adult safeguarding work in the Wakefield District. It will be prepared in a format agreed by the WDSAB and other West Yorkshire Boards and will be reviewed annually as per the West Yorkshire Project Board agreement. The Policy and Procedures will be accessible to everyone and will be made available via the Wakefield Council website.
- 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.
- Complaints regarding the operation of the Board should be addressed to the Chair who in conjunction with the Business Manager will investigate and attempt to reach a satisfactory resolution with the complainant.

11. Review of the Constitution

- This constitution and membership will be reviewed at the annual Business Meeting. Amendments to the constitution can be made at any other time with the agreement of all members of the WDSAB. Suggested amendments to the constitution should be proposed as agenda items at WDSAB meetings.
- Constituent members, as set out in 4. Above, will make a commitment to the contents of the constitution on an annual basis which will be recorded in the January Business planning WDSAB meeting.

12. Board Members Code of Conduct

The WDSAB recognises that Board members will be required to work to their own organisations professional code of conduct and inclusion of this in the

Boards Constitution simply seeks to reinforce those standards in promoting the effectiveness of the WDSAB.

Respect for all

All Board members will be polite and supportive to each other. Everyone's contributions will be valued and members will listen to each other and be sensitive to their position.

Integrity

All members will act as Ambassadors for the WDSAB; maintain high standards of personal conduct demonstrated through an honest, open, impartial and tolerant approach when dealing with colleagues, the public and other organisations.

Equality

All members will ensure that everyone is treated with fairness and equality.

Contact with the Press and Media

In relation to any matter directly concerning the WDSAB, all members will ensure that liaison takes place between organisations and the Board Chair so that agreed joint statements are made and individual members do not work in isolation.

APPENDIX 1

PERSON SPECIFICATION FOR AGENCY REPRESENTATIVES

The WDSAB must ensure that between them, all members of the SAB have the requisite skills and experience necessary for the SAB to act effectively and efficiently to safeguard adults in its area. . Members who attend in a professional and managerial capacity should be:

- able to present issues clearly in writing and in person;
- experienced in the work of their organisation;
- knowledgeable about the local area and population;
- able to explain their organisation's priorities;
- able to promote the aims of the SAB;
- able to commit their organisation to agreed actions;
- have a thorough understanding of abuse and neglect and its impact;
and
- understand the pressures facing front line practitioners.

APPENDIX 2

PARTNER AGENCY SAFEGUARDING FORUM GENERIC TERMS OF REFERENCE

1. Introduction

- The Care Act places a duty on key statutory agencies to discharge their normal functions having regard to the need to safeguard and promote the welfare of adults. They must also ensure that any other body providing services on their behalf follows the same approach.
- The Care Act establishes a clear line of accountability from front line practitioners, through senior managers to the chief executives, for safeguarding and adult welfare practice locally. The agency Board members should have safeguarding experts within their organisational structure to instruct and monitor safeguarding compliance and be points of contact for their own staff and others requiring safeguarding information from that agency..
- To facilitate each agency in carrying out its safeguarding functions the WDSAB advises each individual agency to establish a single agency forum. This forum will enable the agency to establish clear lines of communication throughout all levels of the organisation and will report to the WDSAB regarding the agency's safeguarding functions. The Forum could be a new group established for this purpose or an existing group, which can incorporate the functions into its current activities.

2. Safeguarding Forum Responsibilities

- To develop an agency Safeguarding Business Plan
- To develop an agency Safeguarding Training Plan, based on a needs analysis;
- To monitor performance within their agency in relation to the safeguarding of adults, including, where appropriate, the development of local performance indicators;
- To ensure that agencies have appropriate policies and procedures in place for all staff working with or coming into contact with adults and families;
- To provide a forum for dealing with single agency issues relating to safeguarding policy and practice;

- To identify policy and practice issues which require a response by more than one agency and to ensure that these are progressed;
- To provide a vehicle by which lessons learnt and changes to policy and procedures can be disseminated to practitioners within their own agency;
- To maintain an overview of safeguarding and the promotion of adult welfare within the agency. This includes those sectors which might not have direct contact with adults in a safeguarding role, but do come into contact with the general public.

3. Membership

- The membership of the Forum should be determined by the agency. However, it needs to include representation from operational sectors, including front line staff as well as managers within the agency directly involved in safeguarding adults

4. Meetings

- The frequency of meetings will be determined by the agency. However, the WDSAB would expect meetings to take place at least quarterly.

WAKEFIELD & DISTRICT safeguarding adults board

APPENDIX 3

SUB-GROUP TERMS OF REFERENCE

WAKEFIELD & DISTRICT SAFEGUARDING ADULTS BOARD

LEARNING AND DEVELOPMENT SUB GROUP

TERMS OF REFERENCE

Introduction

The purpose of the Learning and Development (L&D) Sub Group is to develop a work plan, monitor and support partners to enable the delivery of outcomes that support the WDSAB safeguarding business plan. This will ensure that the residents of Wakefield and their families / carer's are central to the delivery of safeguarding learning and development which is aligned to the 6 principles of safeguarding:

- Empowerment
- Prevention
- Proportionality
- Protection
- Partnership
- Accountability

Constitution

The Sub Group will report to the Safeguarding Adults Board.

Membership

- All member agencies on the Safeguarding Board will nominate a representative to the Sub Group.

Membership shall also include the

- LA Mental Capacity Act Lead
- LA Workforce Development Officer
- WDH

- Members should have sufficient knowledge and expertise to contribute to the work of the Group.
- Members must be able to influence their organisation in respect of safeguarding adult's policy and activity.
- The Sub Group will co-opt members to assist with the work plan where appropriate.

Chair

The Chair will be a member of the Adults Safeguarding Board or a nominated representative. The group will also nominate a deputy chair.

Quorum

The meetings will be quorate when at least three people from the named agencies attend including at least one representative from the local authority and at least one from a Health agency.

Meetings

- Meetings will be held quarterly for a maximum of two hours and the minutes of the meetings will be submitted to the Board for information.
- Dates of meetings will be set for the full year.
- Members are expected to attend all meetings where the member cannot attend a representative will attend. Where this is not possible the member will advise the Chair of the reason. Agency attendance will be monitored and reported to the Board.
- The Chair will report on the work of the Sub Group to each meeting of the Safeguarding Adults Board.
- The Sub Group meeting will be supported by the Safeguarding Adults Board Administrator.
- All members of the Sub Group can request agenda items.

Role and Function

The role and function of the group is to:

- Provide the Safeguarding Adults Board with information relating to safeguarding training statistics across partner agencies. This will enable the Board to know how well staff are being educated to safeguard adults.
- Ensure that making safeguarding personal (MSP) is central to any learning outcomes.

- Work with other boards such as the Safeguarding Children Board Learning Development Sub Group, Community Safety Partnership (CSP) to deliver on any shared agendas.
- Ensure that the Care Act, Mental Capacity Act (MCA) and the Human Rights Act are integral to any learning and development.
- Support partner agencies in the delivery of the safeguarding agenda and share any learning.
- Commission learning and development as identified by the Board or partner agencies that meets the requirements of the Board objectives.
- Share best practice in relation to learning outcomes for safeguarding adults as a result of any safeguarding reviews, serious incidents, case file audits or any other processes for lessons learnt.
- Ensure that all learning and development activities have a clear learning outcome and are evaluated to ensure appropriateness and value for money.

Declaration of Interests

During the course of the meeting any member of the group should declare if they have any interests, pecuniary or otherwise. He/she will declare that interest as early as possible and shall not participate in the discussions. The chair will have the power to request that member to withdraw until the matter has been discussed.

Review of Terms of Reference

These terms of reference will be formally agreed by WDSAB as part of agreeing the Constitution at the annual business meeting in January each year.

Review Date: January 2018

Next Review Date: January 2019

QUALITY AND PERFORMANCE SUB-GROUP TERMS OF REFERENCE

Introduction

The purpose of the Quality and Performance Sub Group is to develop and implement a performance and quality framework which will enable the Board to evaluate the effectiveness of the inter-agency safeguarding processes for safeguarding adults within the Wakefield district. It will:-

- Provide the Safeguarding Adults Board with information relating to safeguarding performance across partner agencies, enabling the Board to know how well we are safeguarding adults.
- Make recommendations to the Safeguarding Adults Board in respect of aspects of performance that cause concern.
- Provide professional challenge to agencies in relation to performance and any data they submit to the Sub-Group.

Constitution

The group will report to the Safeguarding Adults Board.

Membership

- All member agencies on the Safeguarding Board will nominate a representative to the Sub-Group.
- Members should have sufficient knowledge and expertise to contribute to the work of the Group.
- Members must be able to influence their organization in respect of safeguarding adult's policy and activity.
- The Sub-Group will co-opt members to assist with the work plan where appropriate.

Chair

The Chair will be a member of the Adults Safeguarding Board.

Quorum

The meetings will be quorate when at least three people from the named agencies attend including at least one representative from the local authority and at least one from a Health agency.

Meetings

- Meetings will be held quarterly for a maximum of two hours and the minutes of the meetings will be submitted to the Board for information.
- Dates of meetings will be set for the full year.
- Members are expected to attend all meetings. Where this is not possible, they will advise the Chair of the reason. Attendance will be monitored and reported to the Board.
- The Chair will report on the work of the Sub-Group to each meeting of the Safeguarding Adults Board.
- The Q&P meeting will be supported by the Safeguarding Adults Board Administrator.
- All members of the Sub-Group can request agenda items.

Role and Function

- To develop a work programme for the year.
- To develop a performance dashboard for approval by the Safeguarding Adults Board.
- To act as a forum for lessons learned dissemination on safeguarding.
- To oversee any review process action plans and ensure the necessary work is undertaken.
- To ensure the performance information meets the Department of Health Safeguarding Adults Report (SAR), national data collection requirements.

Review of Terms of Reference

These terms of reference will be formally agreed by WDSAB as part of agreeing the Constitution at the annual business meeting in January each year.

QUALITY INTELLIGENCE GROUP TERMS OF REFERENCE

Introduction

Wakefield and District Safeguarding Adults Board (WDSAB) is committed to ensure that it coordinates a range of intelligence to ensure it discharges its responsibility to protect all its adults who may be potentially at risk.

In order to protect adults from abuse or neglect, particularly those in a collective care setting or where a package of care is provided in the community, a multi-agency approach to sharing intelligence is essential to recognise where care maybe below an acceptable reasonable standard or failing. In order to achieve this, a multi-agency systematic approach is required to;

- Gather local intelligence
- Identifying those at risk
- Identifying any themes and trends
- Ensure early recognition and intervention
- Ensure learning and changes are implemented
- Escalate when the level of intelligence increases

Constitution

The Quality Intelligence Group will report to the Quality and Performance Sub Group which is accountable to the Wakefield and District Safeguarding Adults Board.

Membership

The Quality Intelligence Group will consist of representation from the following partner agencies:

- Wakefield Adults Health and Communities Principal Contracts Officer
- Community Team Learning Disability (CTLD) representative
- WDSAB Business Manager
- South West Yorkshire Partnership NHS Foundation Trust Safeguarding Lead or other representative
- Mid Yorkshire Hospitals NHS Trust Safeguarding Lead or other representative
- Community Safeguarding Lead / Community Practitioner representative
- NHS Wakefield Clinical Commissioning Group (CCG) Safeguarding Lead or other representative
- CHC representative
- Care Quality Commission (CQC) Local CQC inspector
- Wakefield Public Health Senior Infection Prevention Practitioner
- Wakefield Council Communities Environmental Health / Health Development Unit Team Leader (Business Compliance Team)
- West Yorkshire Police Safeguarding Team Inspector or other representative

- West Yorkshire Fire and Rescue Service Prevention Manager
- Other statutory partner organisations will be invited as required

Partner organisations should arrange for a deputy to attend and ensure they have any information required.

Chair

The chair will be a member of the Safeguarding Adults Board. A vice chair will be selected by the group, in the absence of either the chair or vice chair the group will agree a temporary chair for the meeting. The chair or vice chair will not be a member from a provider organisation.

Quorum

The meeting will be quorate when three people from different organisations attend, a representative of NHS Wakefield CCG and Wakefield Council must be present.

Frequency of meetings

The meetings will be held 6 weekly and will be organised by the Board Administrator.

Declaration of Interests

Due to the nature of the discussions any member of the group should declare if they have any interests, pecuniary or otherwise. He/she will declare that interest as early as possible and shall not participate in the discussions. The chair will have the power to request that member to withdraw until the matter has been discussed.

Role and Function

- To ensure an effective and accountable integrated safeguarding system operates within the Wakefield District.
- To promote effective inter-agency practice and to work towards an integrated approach to safeguarding utilising governance information systems embedded in partner agencies.
- To share intelligence on a 'need to know' basis in the multi-agency environment where this is relevant to the quality, health and safety of service users, residents and patients or the proper conduct of staff.
- To respond to and deliver tasks requested by the Wakefield & District Safeguarding Adults Quality and Performance Sub Group.
- The purpose of this group is to agree, devise, deliver and monitor clear processes under which staff in all partner agencies can register intelligence about quality and care standards

- The purpose of the group is also to agree, devise, deliver and monitor clear processes under which agencies co-ordinate their work in relation to homes, providers or communal setting where intelligence has been received which indicate a general concern about standards of care.
- Where intelligence is indicative of more serious concerns this will be escalated with the responsible commissioner(s),
- Reporting

Due to the sensitivity of the discussions all notes of the meetings will be kept to a minimum with agreed actions documented. All notes will be password protected and marked as confidential.

Partner agency members will share on a need to know basis within their responsible organisations.

A copy of the notes will be shared with the CQC

Provider organisations will destroy any copies of the notes once read, and copies will only be kept securely by commissioners.

The chair of the Quality Intelligence group meeting will have a standing agenda item on the agenda at the Quality and Performance meeting and will provide an annual overview of work to the WDSAB.

Review of Terms of Reference

These terms of reference will be reviewed annually and formally agreed by WDSAB as part of agreeing the Constitution at the annual business meeting in January each year.

Reviewed January 2018

Next review date January 2019