

THE CONSTITUTION OF THE  
KEEPING ADULTS SAFE IN SHROPSHIRE BOARD

<b>Team</b>	Keeping Adults Safe in Shropshire Board	<b>Author(s)</b>	Sarah Hollinshead-Bland
<b>Document</b>	THE CONSTITUTION OF THE KEEPING ADULTS SAFE IN SHROPSHIRE BOARD		
<b>Date Created</b>	03.12.15	<b>Address</b>	
<b>Version</b>	V5		
<b>Status</b>	Approved		
<b>Review Date</b>	10.09.2016		

This document requires the following approvals:

<b>Approving Body/Group</b>	<b>Approved on</b>	<b>Chair signature</b>
KASiSB	10/09/15	

## 1. THE VISION OF THE PARTNERSHIP

“Shropshire is a place where adults with care and support needs and children live a life free from abuse or neglect”.

## 2. AIMS OF THE PARTNERSHIP ARRANGEMENTS

- 2.1 To optimise the safety of adults in Shropshire with care and support needs and prevent abuse occurring.
- 2.2 To ensure that when safeguarding support is required, the adult affected is fully involved in the process and the development of any ongoing safeguarding plan required.
- 2.3 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.
- 2.4 The Keeping Adults Safe in Shropshire 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 by all partners:-
  - Empowerment:  
Presumption of person led decisions and informed consent.
  - Prevention:  
It is better to take action before harm occurs.
  - Proportionality:  
The least intrusive response appropriate to the risk presented
  - Protection:  
Support and representation for those in greatest need.
  - Partnership:  
Local Solutions through services working with communities
  - Accountability:  
Accountability and transparency in delivering safeguarding

### **3. OBJECTIVES**

- 3.1 Among the Board's objectives is to provide personalised safeguarding arrangements and ensure partnerships work together to act to help and protect adults with care and support needs who are at risk or experiencing abuse or neglect.
- 3.2 The KASiSB is a multi-agency strategic Board that will coordinate the development of Adult Safeguarding across Shropshire and ensure the effectiveness of the work undertaken by Partner agencies.
- 3.3 Whilst KASiSB 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.
- 3.4 All statutory members of the Keeping Adults Safe in Shropshire Board will be required to have in place a Designated Adult Safeguarding Manager who will be required to provide information to the Board. 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.
- 3.5 The Board will receive and scrutinise regular quality-assurance reports by individual agencies annually (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.
- 3.6 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.
- 3.7 The Partners that make up the Board are expected to share information in accordance with the associated Board document.

### **4. FUNCTIONS**

- 4.1 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 Strategic Plan for each financial year detailing how it will help adults;
  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 participate in that.
  3. Conduct any Safeguarding Adult Reviews in accordance with S44 of the Care Act 2014.

- 4.2 In order to fulfil its core duties the Board will develop initiatives, plans, policies and procedures for Safeguarding Adults in their area or where agreed by the Board adopt existing Pan West Midland Policies and Procedures in relation to:-
- 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 with care and support needs.
  - b. establishing ways of analysing and interrogating data on safeguarding concerns and completed enquiries to increase the KASiSB's understanding of prevalence of abuse and neglect locally that builds up a picture over time;
  - c. establishing how it will hold partners to account and gain assurance of the effectiveness of its arrangements;
  - d. determining its arrangements for peer review and self-audit;
  - e. establishing 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;
  - f. developing preventative strategies that aim to reduce instances of abuse and neglect in its area;
  - g. identifying the circumstances when a safeguarding concern should be raised with the local authority;
  - h. formulating guidance about the arrangements for managing adult safeguarding concerns, including dealing with complaints, grievances and professional and administrative malpractice, referral pathways and thresholds for intervention;
  - i. developing 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;
  - j. balancing the requirements of confidentiality with the consideration that, to protect adults, it may be necessary to share information on a 'need-to-know basis';
  - k. identifying mechanisms for monitoring and reviewing the implementation and impact of policy and training;
  - l. carrying out safeguarding adult reviews and advising Partners on lessons to be learned;
  - m. producing a Strategic Plan and an Annual Report;
  - n. evidencing how Board members have challenged one another and held other Boards to account;
  - o. reviewing and commenting on the impact for safeguarding of individual member agencies' operational strategic decision making, including budgetary considerations; and
  - p. engaging in any other activity that facilitates or is conducive to, the achievement of its objectives.
- 4.3 The KASiSB will develop:-
- A Case Audit 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.

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

## **5. EFFECTIVE WORKING RELATIONSHIPS WITH OTHERS**

- 5.1 The KASiSB recognises other partnerships and organisations working in Shropshire and have responsibilities to address issues relevant to safeguarding adults at risk of abuse or neglect. To ensure effective communication and lead accountability in issues which traverse groups, the KASiSB will formalise links and develop effective, high quality relationships with:-
- The Quality Surveillance Group
  - The Health & Wellbeing Board
  - The Safeguarding Children Board
  - The Community Safety Partnership
  - Coroner's Office
  - Office of the Public Guardian
  - The Police and Crime Commissioner
- 5.2 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.

## **6. KASiSB CHAIR & ACCOUNTABILITY**

- 6.1 The Care Act 2014 requires Shropshire Council as a Local Authority to establish a Safeguarding Adult Board. The KASiSB is independent of the Council and other statutory partners. In order to provide effective scrutiny it will not be subordinate to, nor subsumed within other local structures or multi-agency partnerships.
- 6.2 The KASiSB will have an Independent Chair to hold all agencies to account.
- 6.3 It is the responsibility of the local authority Chief Executive and Lead Member to appoint, monitor or remove the KASiSB Chair. The Chief Executive will where appropriate, hold the Chair to account for the effective working of the KASiSB in consultation with KASiSB members.
- 6.4 The KASiSB Chair should work closely with all KASiSB partners and particularly with the Director of Adult Social Care<sup>1</sup>, the Director of Nursing, Quality and Patient Experience of the Shropshire Clinical Commissioning Group and the Chief Constable (or their representative).
- 6.5 The Chair will ensure the KASiSB publish a Strategic Plan for each financial year. This plan will 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 adults more effectively. When preparing the plan the Board will consult the local Healthwatch and involve the community.

---

<sup>1</sup> 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.

6.6 The Chair must ensure the KASiSB 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 Executive and Leader of Shropshire Council;
- The Chief Constable of West Mercia Police;
- The Chair of the Health and Wellbeing Board;
- The Police and Crime Commissioner and
- Healthwatch Shropshire

Additionally, the KASiSB recognizes the important role played by the democratically elected local leaders of Shropshire Council in scrutinising local safeguarding arrangements. Therefore the annual report will be presented to Health and Social Care Overview and Scrutiny Committee on a yearly basis.

All partners will be expected to ensure the KASiSB Annual Report is acknowledged through their own governance systems.

## 7. THE ACTIVITIES OF THE BOARD

7.1 In pursuit of its aims the KASiSB will:-

- Adopt the financial year April 1st – March 31st;
- Hold its meetings quarterly;
- Require a quorum of at least two of the three statutory partners present in order to have a fully constituted meeting;
- Review its Constitution on an annual basis at the first meeting of each financial year following a formal consultation process with the membership;
- 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 Executive Group and Sub Groups which will be circulated within 10 working days;
- Any member of the full Board may submit items to be included on the agenda of a main meeting of the KASiSB supported by a written statement/report to the Chair at least 15 working days before the meeting.



- Agenda and reports will be circulated generally at least 10 working days prior to the meeting;
- The KASiSB are committed to transparency and will, publish its Strategic and Business Plan, Annual Report and findings from Safeguarding Adult Reviews
- Hold regular development sessions to ensure Board members have up to date knowledge regarding adult safeguarding.

7.2 The KASiSB structure is illustrated at appendix 2. and described below.

7.3 The KASiSB will establish an Executive Group that will be responsible for holding the sub-groups to account, monitoring the strategic and business plan of the KASiSB and making recommendations to the KASiSB. The Executive will be chaired by the Vice-Chair of the KASiSB and will be made up of Sub-Group chairs, Officers to the Board and the Independent Chair. People leading short-term pieces of work will be co-opted to the Executive Group until the work is complete. The Executive Group is empowered by the KASiSB to make decisions on its behalf as recommended by sub-groups and task and finish groups subject to its confidence to do so.

7.4 The KASiSB will also operate sub groups which will carry out the day to day operational functions of the KASiSB and will report to the executive group. All sub groups will produce an annual business plan which will form the KASiSB annual business plan and support the delivery of the strategic plan.

7.5 In order to carry out these functions the following sub groups will meet as dictated by their terms of reference:-

- Learning & Development
- Safeguarding Adult Reviews
- Audit and Performance

7.6 The KASiSB 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. prepare a response to consultation matters on behalf of the Board;
- d. explore a particular issue;
- e. publish material on behalf of the Board; and
- f. discharge any functions delegated to it from the Board.

## 8. HOW THE KASiSB MAKES DECISIONS

- 8.1 The KASiSB will always seek to make decisions by achieving a consensus view. 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 organisation represented will be entitled to one vote. In the event of a tied vote the Chair will have the casting vote.

## 9. FREEDOM OF INFORMATION

- 9.1 Under the Ministry of Justice extension to the Freedom of Information Act 2000 Local Safeguarding Adults Boards are not deemed as Public Authorities under the Act and therefore will be exempt from requests for the disclosure of information under the Freedom of Information Act 2000.

## 10. MEMBERSHIP

- 10.1 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 those listed below.
- 10.2 Board Partners should designate a particular named person and a deputy to ensure consistency and continuity.
- 10.3 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, practice and resource matters;
  - Hold their organisations to account.
- 10.4 Membership of the KASiSB will consist of representatives from the following who will have a vote (unless otherwise identified).
- Shropshire Council
    - Portfolio holder for Adult Social Care (non-voting member)
    - Director, Adult Social Care
    - Head of Adult Social Care
    - Head of Children and Families (Stephen Chandler following up)
    - Head of Housing Services (Andy Begley following up)
    - Head of Regulatory Services (Paul McCreary)
  - West Mercia Police
  - National Probation Service (Tom Currie)
  - Community Rehabilitation Company (George Branch he is the right person to invite [george.branch@wmm.probation.gsi.gov.uk](mailto:george.branch@wmm.probation.gsi.gov.uk))
  - Clinical Commissioning Group (Commissioning)
  - Shropshire Partners in Care
  - South Staffordshire and Shropshire and Foundation Trust
  - Robert Jones and Agnes Hunt Foundation Trust



- Shrewsbury and Telford Hospitals NHS Trust
- Shropshire Community Health NHS Trust
- Healthwatch Shropshire
- Shropshire Fire and Rescue
- Shropshire Voluntary Sector Assembly
- Department for Work and Pensions
- Inter-Faith group
- General Practitioners (Alan Otter)
- Adult Education (find out from Ann Gribben)

The KASiSB is working on how it achieves service user and carer membership.

A standing membership is also identified. Standing members will:

- Be entitled to any Board meeting
- Receive minutes of Board meetings
- Be able to raise seek clarification from the Board of its position on Adult Safeguarding matters and may be asked to respond to the Board on the same
- On occasion be asked to attend for a specific agenda item.

The following organisations will receive a standing invitation to attend:

- NHS England (Commissioning)
- Care Quality Commission
- The Crown Prosecution service
- West Midlands Ambulance Service
- Staffordshire and Stoke-on-Trent Partnership NHS Trust

The following roles are considered to add value to the work of the KASiSB. On an occasional or thematic basis they will be invited to attend. They are:

- LCSB Independent Chair
- Legal Advisor to the Board
- Officers to the Board (Designated Adult Safeguarding Manager of the local authority and the Head of Adult Safeguarding of the Shropshire Clinical Commissioning Group who will act as “technical advisors” to the Independent Chair and the KASiSB)

- 10.5 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 KASiSB meeting or as and required by the KASiSB.
- 10.6 At the discretion of the Independent Chair, 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.

## **11. CODE OF PRACTICE**

11.1 Members of the Board will operate in accordance with the Constitution, Membership Handbook and relevant Role Descriptions.

11.2 There will be an agreed Induction Programme for all new members.

## **12. FINANCIAL ARRANGEMENTS**

12.1 KASiSB Partners have agreed to the establishment and maintenance of a Pooled Fund (and / or resources committed “in kind”) as suggested in Schedule 2 of the Care Act 2014 which will be managed by the Local Authority on behalf of Board Partners. The Strategic Plan will include the proposed budget and expected contribution from all partners.

## **13. DISPUTES AND COMPLAINTS**

13.1 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.

## DISPUTES

- 13.2 If no agreement can be reached the matter will be referred to an appropriate resolution mechanism determined by the KASiSB taking account of:
- The type of dispute;
  - The knowledge, expertise and seniority required in resolving the matter.
- 13.3 Where a dispute remains unresolved despite the above arrangements, it will be referred to the appropriate Chief Executives.

## COMPLAINTS

- 13.4 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.
- 13.5 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.

## **14. NON COMPLIANCE OF ACTIVITIES**

- 14.1 The work of the KASiSB will be set out in the Strategic and Business Plan. All members agencies will sign this constitution reinforcing 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 KASiSB.
- 14.2 Issues of non-compliance will, in the first instance, be referred to the Independent 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.

## **15 MONITORING AND INSPECTION**

- 15.1 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.

## **16. OVERVIEW AND SCRUTINY**

- 16.1 The KASiSB 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.

Appendix 1.

### Signatories

Name of organisation	Role of Signatory	Name of signatory	Signature
Adult Education			
Clinical Commissioning Group			
Community Rehabilitation Company			
Department for Work and Pensions			
General Practitioners Crown Prosecution Services			
Healthwatch Shropshire			
Inter-Faith Representatives Group			
National Probation Service			
Robert Jones and Agnes Hunt Foundation Trust			
Service User Representatives			
Shrewsbury and Telford Hospitals NHS Trust			
Shropshire Council			
Shropshire Partners in Care			
Shropshire Fire and Rescue			
South Staffordshire and Shropshire and Foundation Trust			
Shropshire Community Health NHS Trust			
Shropshire Voluntary Sector Assembly			
West Mercia Police			

## Keeping Adults Safe in Shropshire Board Structure

