



Herefordshire
Safeguarding
Adults Board

Constitution

v2.2
January 2016

1. Introduction

1.1 The Herefordshire Safeguarding Adults Board (HSAB) was established by Herefordshire Council (the Local Authority), health commissioners and West Mercia Police in 2009 to co-ordinate the effectiveness of safeguarding services provided to Adults at Risk. The Board became a statutory function under the Care Act 2014 on 1st April 2015.

1.2 The main statutory objective of a Safeguarding Adults Board is to assure itself that local safeguarding arrangements and partners act to help and protect Adults at Risk.

1.3 For the purposes of HSAB and throughout the Boards Constitution, Adults at Risk refers to the definition given by the Care Act for whom the safeguarding duties apply to adults who:

- have needs for care and support (whether or not the local authority is meeting any of those needs) and;
- are experiencing, or at risk of, abuse or neglect; and
- as a result of those care and support needs are unable to protect themselves from either the risk of, or the experience of abuse or neglect.

1.4 HSAB has a strategic role that is greater than the sum of the operational duties of the core partners. It oversees and leads adult safeguarding across Herefordshire and is interested in a range of matters that contribute to the prevention of abuse and neglect. These include the safety of patients in its local health services, quality of local care and support services and awareness and responsiveness of further education services.

1.5 HSAB has the following three core duties:

- To publish a strategic plan for each financial year that sets how it will meet its main objective (1.2) and what the members will do to achieve this. The plan will be developed with local community involvement, in consultation with Healthwatch Herefordshire. The plan should be evidence based and make use of all available evidence and intelligence from partners to form and develop its plan.
- To publish an annual report detailing what it has done during the year to achieve its main objective and implement its strategic plan, and what each member has done to implement the strategy as well as detailing the findings of any Safeguarding Adults Reviews and subsequent action.
- To conduct any Safeguarding Adults Review in accordance with Section 44 of the Care Act.

2. The Role of HSAB

2.1 This statement of purpose outlines the Board's vision for adults at risk in Herefordshire, its mission as it works together to bring about that vision and the values that it works to as it works together.

2.2 The **Vision** of HSAB is that Herefordshire's adults at risk are able to exercise choice and control in an environment in which their well-being needs are met and they are safe from harm.

2.3 Our **Mission** is to empower adults at risk and their communities and work together in effective partnerships to ensure that local services and arrangements are effective in promoting the well-being of; preventing harm to; and protecting adults at risk in Herefordshire.

2.4 HSAB's **Values** as we work together are:

- The impact on the well-being and safety of Herefordshire's adults at risk will be at the centre of all HSAB activity.

- We will work with adults at risk and their communities to encourage and promote personal responsibility for their own safety while respecting an individual's right to personal choice.
 - We will learn and develop, responding to local and national evidence and best practice to reduce the risk of abuse.
 - We will work in an open and honest manner with adults at risk, their communities and with each other.
 - We will address the well-being needs of adults at risk at the earliest opportunity and prevent the need for later safeguarding intervention whenever possible while supporting choice and control.
 - We will work together being open to receive and bring constructive challenge as part of the process of developing.
- 2.5 HSAB undertakes its role with regard to the functions, objectives and expectations outlined in section 1 within the county borders of Herefordshire. It works closely with the three other SABs in the West Mercia region (Worcester, Shropshire and Telford and Wrekin) and with the wider regional partners within the West Midlands to undertake work which will benefit from a regional perspective.
- 2.6 HSAB will publish its Annual Report and Strategic Plan for the current year, along with those from previous years, on the Herefordshire Councils website Board's pages.

3. Governance and Accountability

3.1 HSAB sits within a developing framework of statutory and non-statutory multi-agency bodies which include the Health and Wellbeing Board (H&WBB), Herefordshire Safeguarding Children Board (HSCB), the Community Safety Partnership (CSP) (which oversees the work of a multi-agency Domestic Abuse Forum) and the Learning Disability Forum.

3.2 Each body has vital and distinct roles which include a responsibility for people safe and promoting their welfare. The effectiveness of HSAB relies upon its ability to assert its statutory authority through an independent voice.

3.3 Joint membership and clear lines for the escalation of concerns exist to ensure the effectiveness of each body as they work together. These are summarised in the table below, although this is not an exhaustive representation.

HSAB Chairing Arrangements

3.4 The HSAB is chaired by an Independent Chair, who is accountable for the effective working of HSAB to the Chief Executive of the Herefordshire Council, drawing on other HSAB partners and, where appropriate, the Lead Member.

3.5. The Independent Chair works closely with all HSAB partners and particularly with the Director of Adult Wellbeing.

3.6 The Independent Chair is recruited by a multi-agency panel of statutory members of HSAB and serves a three year term at which point his/her tenure will cease and a further selection process will commence which may include the current Chair if they so wish.

3.7 The Performance of the Independent Chair will be reviewed annually by the Chief Executive of Herefordshire Council with the opinions of the HSAB members being sought beforehand.

The Independent Chair must ensure the continued confidence of all HSAB members in maintaining the independence of the HSAB.

3.8 The vice Chair is the Director of Adult Wellbeing and will act on the Chair's behalf in their absence and, in doing so, must ensure the continued independence of the HSAB.

3.9 Whilst a role for the HSAB is to monitor and review the work of all agencies involved in safeguarding and promoting the welfare of adults at risk within Herefordshire, it will also be subject to scrutiny and inspection itself.

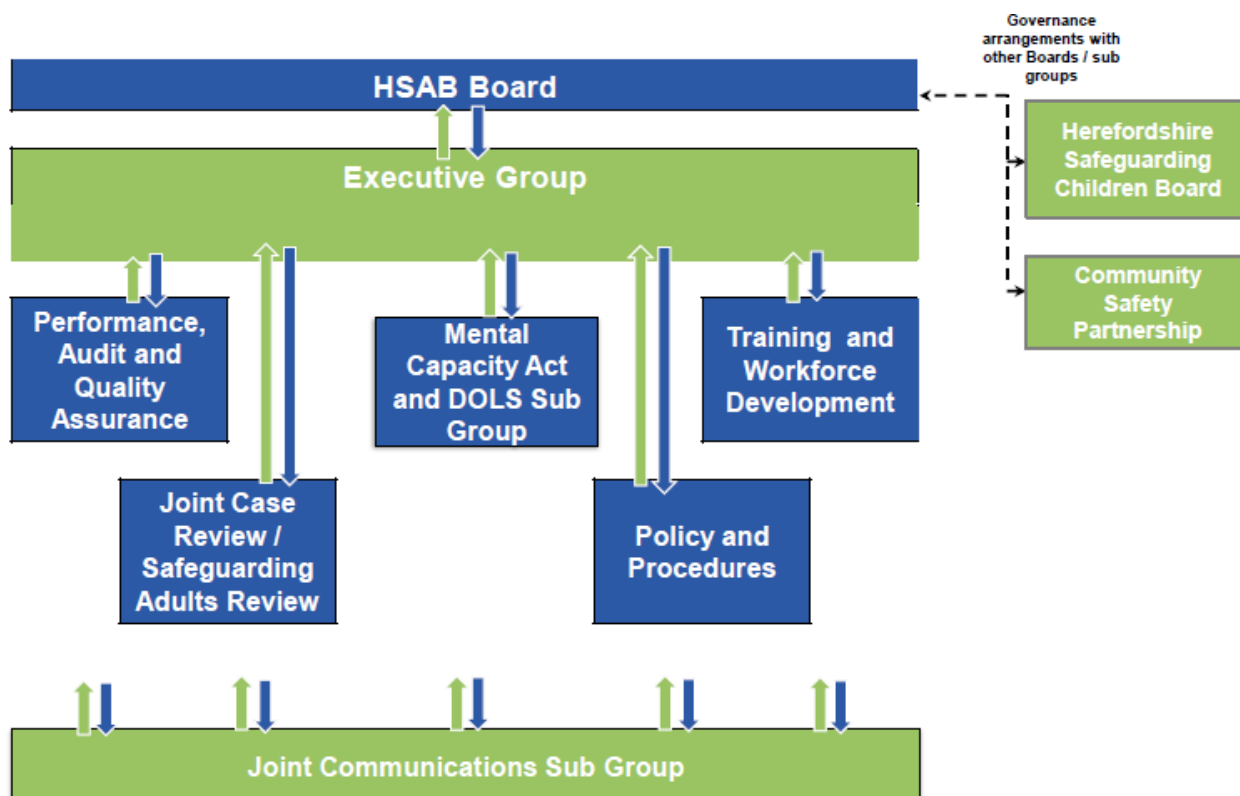
3.10 The Chair of the HSAB will meet with the Director of Adult Wellbeing and with the Cabinet Member for Adult and Wellbeing formally four times a year to monitor the business of the Board.

3.11 The Independent Chair will engage with other Independent Chairs within formal structures such as the West Midlands group of Independent Chairs and the national independent chairs network.

	HSAB
H&WBB	<p>HSAB Independent Chair is a member of the H&WBB.</p> <p>HSAB Vice Chair is a member of the H&WBB.</p> <p>Chair of the H&WBB is a member of HSAB.</p> <p>HSAB Annual Report is shared with the H&WBB</p>
HSCB	<p>The Chairs of the HSAB and HSCB are required to meet together regularly to ensure shared priorities are maintained where possible and joint work is undertaken to maximize the effectiveness of this work.</p> <p>HSAB and HSCB are supported by a joint Business Unit and Business Manager ensuring areas for joint work are identified and prioritised appropriately.</p> <p>Specific Learning and Improvement functions are undertaken by the Joint Case Review group which includes responsibilities for safeguarding adult reviews (HSAB), children's serious case reviews (HSCB) and domestic homicide reviews (CSP).</p>
CSP	<p>Herefordshire's Community Safety Manager is a member of HSAB.</p> <p>Priorities identified by the CSP are discussed at HSAB where appropriate and included in HSAB's consideration of development priorities and its annual Business Plan.</p> <p>Specific Learning and Improvement functions are undertaken by the Joint Case Review group which includes responsibilities for safeguarding adult reviews (HSAB), children's serious case reviews (HSCB) and domestic homicide reviews (CSP).</p>

4. HSAB Strategic Board

4.1 The Strategic Board sets the direction and is responsible for ensuring effective delivery. Specific work is undertaken by HSAB's Executive Group and Delivery Groups which are ultimately accountable to the Strategic Board. The Overall Board Structure is displayed below:



4.2 The Strategic Board is the body responsible for ensuring compliance with the duties set out in the Care Act 2014. In carrying out that function it must:-

- 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 at risk;
- establish ways of analysing and interrogating data on safeguarding notifications 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 at risk which should be formulated, not only in collaboration and consultation with all relevant agencies, but also take account of the views of adults at risk 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 at risk;
- 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 at risk, it may be necessary to share information on a 'need-to-know basis';
- identify mechanisms for monitoring and reviewing the implementation and impact of 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; and,
- 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.

HSAB Strategic Board Membership

4.3 The membership of HSAB's Strategic Board will comprise the agencies listed in the membership grid below. Each agency shall designate particular named people as their HSAB member(s) to ensure consistency and continuity in the membership of HSAB. The nominations of the representatives, including named deputies, shall be sent annually by the Heads of the respective agencies to the Independent Chair of HSAB not later than 30th September each year in line with HSAB Meeting Attendance Protocol and Action Plan. The representative(s) of the agencies listed in paragraph 4.6 will be the statutory voting members;

4.4 Members of HSAB and named deputies must have a strategic role within their agency in relation to safeguarding and promoting the welfare of adults at risk. They must have the authority and experience within their agency to enable them to provide resources, commit their agency on matters of policy and practice, and hold their agency to account.

4.5 A named deputy may attend in lieu of the nominated representative in the event that the nominated representative is unable to attend any particular meeting. When attending a meeting in such circumstances, the deputy shall be entitled to take part fully in the meeting with the right to speak and to vote. No other person apart from a nominated representative or named deputy will have a vote at a meeting of HSAB.

4.6 The Statutory Voting Members are:

- the local authority which set it up;
- the CCGs in the local authority's area; and
- the chief officer of police in the local authority's area.

4.7 Membership of non-statutory voting members can be altered by the HSAB at any time.

4.8 The HSAB will ensure the attendance of necessary professional advisors at meetings of the Board and sub groups. Legal advice to HSAB and to delivery group meetings will be provided by the Legal Department of Herefordshire Council when required.

4.9 If an HSAB member misses two of the previous three meetings without ensuring an appropriate deputy is able to attend, the Chair, on behalf of the HSAB, may write to that member to remind them of their obligation to attend meetings. If non-attendance continues, the Chair will write to the senior officer of that agency requiring a permanent replacement.

Membership Grid	Statutory Voting Members	Other Voting Members	Officer / Advisor to the HSAB
Independent Chair Person		✓	
Lead Member for Adults Wellbeing	✓		
Herefordshire Director of Adults Wellbeing	✓		
West Mercia Police	✓		
Herefordshire Clinical Commissioning Group	✓		
Wye Valley NHS Trust		✓	
2gether NHS Foundation Trust		✓	
Herefordshire Council Assistant Director Adults Wellbeing	✓		
Herefordshire Council Assistant Director, Childrens Wellbeing		✓	
Care Quality Commission		✓	
NHS England Area Team		✓	
National Probation Service		✓	
Community Rehabilitation Company		✓	
Carers Representative		✓	
Voluntary Sector		✓	
Further/Adult Education		✓	
Housing		✓	
Healthwatch Herefordshire		✓	
HSAB Business Manager			✓

HSAB Strategic Board Meetings

4.10 Meetings of the HSAB will be held quarterly and should last for a maximum of three hours.

4.11 The Chair may call an extra-ordinary meeting at any time. Members can make a written request for an extra-ordinary meeting to the Chair. The Chair will decide whether to hold such a meeting. The Chair is unlikely to accede to a request unless two or more members make a request.

4.12 In the eventuality that neither the Independent Chair nor the Vice Chair is able to attend an HSAB meeting, then a Chair will be selected from HSAB members at the meeting.

4.13 A meeting will not be quorate and therefore unable to make decisions binding on HSAB unless at least one third of voting members including representatives of at least 3 statutory agencies are present. Where the membership is not divisible by 3 the number shall be rounded up.

4.14 In making decisions HSAB will seek to establish consensus. If that is not possible the decision will be taken by a simple majority of voting members present. If a vote is tied the person chairing the meeting will have a second and casting vote.

4.15 All HSAB meetings will be minuted and the minutes submitted for approval prior to the next meeting.

4.16 An agenda will be sent to members 5 working days before a meeting. Any documents which are required to be seen by members in relation to a meeting must be sent to the business unit at least 10 working days before a meeting.

4.17 The activities of the HSAB will be directly supported and have its work co-ordinated by the HSAB Business Manager and the Business Unit, who will produce reports of activity, including an annual work plan.

4.18 The first meeting of the business year will consider the following matters:

4.18.1 Undertake any relevant business tasks in relation to the Annual Report, the Budget and the Business Plan

4.18.2 Review chairing arrangements, terms of reference and membership of the sub groups.

HSAB Strategic Board Members Responsibilities

4.19 The Care Act states that *the local authority which establishes the SAB 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.*

4.20 Therefore, 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;
- understand the pressures facing front line practitioners and
- hold their own organisation to account and hold others to account.

4.21 Members who represent a sector, or a group of organisations, will be expected to communicate effectively within their group to ensure that they have a sufficient mandate to speak on behalf of the whole group at HSAB meetings. They will be supported to do this as far as possible by the HSAB Business Unit.

Responsibilities of the Member Organisations

4.22 Member organisations will be required to support their HSAB member in carrying out their responsibilities as an HSAB member. This will include providing dedicated time to fulfill their role, supporting them in developing a safeguarding accountability framework for their organisation, ensuring that safeguarding underpins all their activities with adults at risk and that, in the case of the Statutory Partners, a recurrent and sufficient financial contribution is made to support the work of HSAB.

4.23 To further assist HSAB members in carrying out their responsibilities, Chief Officers of all partner organisations will be asked to sign a Memorandum of Agreement confirming their support of the written Constitution of the HSAB.

5. HSAB Executive Group and Sub Groups

5.1 The role and functions of the Executive Group and each sub groups will be documented within each groups terms of reference, reviewed annually. These are included within Appendix 1 of this document.

5.2 Together, the Executive Group and sub groups will undertake the following responsibilities, devolved to them by the Strategic Board while acknowledging HSAB's Vision, Mission and Values (as set out in Section 2) throughout their work:

5.2.1 Monitor progress towards their assigned action areas within the Business plan for consideration by the Board.

5.2.2 Contribute to the development of the Annual Report by submitting a report to the Independent Chair by the end of May each year on the work of the group during the previous year

5.2.3. Contribute to the development the agenda for the HSAB meetings by highlighting areas of concern or for celebration through the Executive Group;

5.2.4 Develop an annual work plan for their groups;

5.2.5 Develop and approve policies and procedures, including those produced by 'task and finish' groups and develop implementation plans to be ratified by the Policy and Procedures Sub Group;

5.2.6 Respond to consultations led by the Department of Health; and

5.2.7 Carry out any other tasks which HSAB may require.

5.3 The Chair of the Executive Group shall be the Director of Adult Wellbeing Services.

5.4 The Chairs of each sub group will become members of the Executive Group.

5.5 The Chair with responsibility for the functioning and co-ordination of each group will be responsible for chairing meetings and will support the work of the committees and report directly to HSAB on plans and progress achieved.

5.6 Each group will appoint a Vice Chair to chair meetings in their absence. If neither the Chair nor Vice Chair are present at a meeting the members present will appoint a Chair. The name of the Chair and Vice Chair will be recorded within the terms of reference for each group.

5.7 HSAB members will nominate professional(s) with the relevant knowledge, skills and delegated responsibility from their organisation to be members of the sub groups. They will be expected to act on behalf of their organisation and have sufficient authority to make decisions and be able to allocate resources.

5.8 In the event that a nominated representative is unable to attend any particular meeting of a group, a substitute may attend in their absence.

5.9 The quorum for a meeting of a group shall be one third of its membership (where the membership is not divisible by 3 the number shall be rounded up) provided that at least three individual organisations are represented.

5.10 In the event that members of a group are unable to achieve consensus in making a decision the matter will be decided by a simple majority of members present. In the event of a tie the person acting as chair of the meeting will have a second and casting vote.

5.11 Additional sub-groups, practice improvement groups and task groups may be set up to assist it in the conduct of HSAB business. HSAB or groups to which they are accountable will decide the chairperson of the groups. That group will determine the remit and composition of the sub group.

5.12 To ensure comprehensive representation, HSAB will invite other statutory, non-statutory and voluntary organisations to provide members of the groups where they have relevant knowledge and skills.

5.13 In the event that a nominated representative is unable to attend any particular meeting of a group, a substitute may attend in their absence.

5.14 If an HSAB member misses two of the previous three meetings without ensuring an appropriate deputy is able to attend, the HSAB Independent Chair, on behalf of the HSAB, may write to that member to remind them of their obligation to attend meetings. If non-attendance continues, the Chair will write to the senior officer of that agency requiring a permanent replacement.

6. Data Protection, Confidentiality and Freedom of Information

6.1 Members will ensure that their Data Protection Registration, where appropriate, covers their involvement in the activities of the HSAB.

6.2 All members will adhere to the provisions of the Data Protection Act 1998 and all other legal provisions relating to confidentiality and data security and maintain confidentiality at all times, other than where a specific exemption under that Act or other legal provision applies. This principle will apply during a member's participation in HSAB and will continue after the individual is no longer a member, or following the HSAB's dissolution.

6.3 If any member who has access to confidential information or data knowingly breaches the law relating to particularly, but not limited to, the unauthorised disclosure of confidential information, they may be personally liable. This applies to all members of the Board, its Sub Group members and any person who comes into possession of confidential information in their dealings with HSAB.

6.4 HSAB will publish a policy in relation to Confidentiality and Data Protection which will be binding on its members, consultants and staff.

6.5 Members of the HSAB will make appropriate arrangements to ensure that the provisions of the Freedom of Information Act 2000 are properly complied with.

7. Financing and Staffing

7.1 To support the work of the HSAB, a Business Unit will be maintained, funded by contributions from the statutory partners and other partner agencies.

7.2 No later than October in each year, HSAB will determine a budget for the forthcoming financial year.

7.3 The Statutory Members will contribute to the budgeted cost of maintaining HSAB in proportions to be agreed by the Board at its January meeting.

7.4 In the event that in any financial year the actual costs exceed the budgeted amount, the difference will be met by the statutory agencies in the same proportions. Where the budgeted amount exceeds the actual cost, the difference will be carried forward to put towards expenditure for the following year.

8. Complaints

Arrangements for investigating complaints will be established in accordance with the Herefordshire Council's Complaints and Representation procedure.

9. Review of the Constitution of the HSAB

9.1 This Constitution may be amended by the Board. Any member may request an amendment to the Constitution by writing to the Independent Chair setting out the desired amendment and reasons for the request.

9.2 The Constitution will be reviewed annually by the Board at their April meeting.

Timetable of agreed activities

Month	Paragraph	Activity
April	9.2	Constitution will be reviewed annually by the Board at their April meeting
	4.18.1	Undertake any relevant business tasks in relation to the Annual Report, the Budget and the Business Plan
	4.18.2	Review chairing arrangements, terms of reference and membership of the sub groups
May	5.2.2	Sub groups submit a report to the Independent Chair by the end of May each year on the work of the group during the previous year
September	4.3	The nominations of representatives, including named deputies, shall be sent annually by the Heads of the respective agencies to the Independent Chair of HSAB
October	7.2	HSAB will determine a budget for the forthcoming financial year.
January	7.3	Statutory Members will contribute to the budgeted cost of maintaining HSAB in proportions to be agreed

Appendices: Terms of Reference for HSAB's Sub Groups

Terms of reference for HSAB Sub Groups are included in the following order:

Executive Group

Performance, Audit and Quality Assurance

Joint Case Review

MCA and DoLS

Training and Workforce Development

Policies and Procedures

Communications