



Safeguarding is everybody's business

## Combined Safeguarding Adults Board

### Memorandum of Understanding

#### 1. Aim

To ensure 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.

The Combined Safeguarding Adults Board (the Board) aims to achieve its objectives whilst supporting individuals in maintaining control over their own lives and in making informed choices without coercion. In achieving this, the following six key principles must be followed:-

- **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 in the community
- **Accountability**  
Accountability and transparency in delivering safeguarding

#### 2. Objectives

The Board's objective is to improve safeguarding arrangements and ensure partnerships act to support and protect adults at risk of, or experiencing, abuse and/or neglect. The Board is a multi-agency strategic board that will co-ordinate strategic development of adult safeguarding across geographical footprint of the Board and ensure the effectiveness of the work undertaken by all partners in the area.

Whilst the Board has a role in coordination and ensuring the effectiveness of work undertaken by individuals and organisations in relation to adult safeguarding and promoting the welfare of adults it is not accountable for partners' operational work. Each partner agency has their own existing lines of accountability for adult safeguarding and promoting the welfare of adults by their services. The Board does not have the power to direct other organisations.

The Board will receive and scrutinise regular performance management and quality assurance improvement reports from individual agencies annually (as a minimum requirement) to identify good practice and highlight any areas for development. 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. Functions**

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:

- Publish a Strategic Plan for each financial year detailing how it will meet its main objective and what members will do to achieve this
- 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
- Arrange Safeguarding Adults Reviews in accordance with S44 of the Care Act 2014

In order to fulfil its core duties the Board will develop initiatives, plans, policies and procedures for safeguarding adults in relation to:

- 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 and completed enquiries which increase the Board's understanding of prevalence of abuse and neglect locally that builds a picture up over time

- Establish how it holds partners to account to gain assurance of the effectiveness of its arrangements
- Determine its arrangements for peer review, self-audit, performance monitoring, bench marking, continual analysis and lessons learnt
- 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 takes 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 the instances of abuse and neglect
 

Identify types of circumstances giving grounds for concern and when they should be considered as a safeguarding concern to the relevant local authority, including referral pathways for appropriate and proportionate intervention
- Formulate guidance about arrangements for managing adult safeguarding and in 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 implementation and impact of policy and training
- Carry out Safeguarding Adults Reviews and advise the Board on lessons to be learned
- Produce a Strategic Plan and an Annual Report
- Evidence how Board members have challenged one another and held other agencies to account
- Review and comment on the impact of safeguarding of individual member agencies operational strategic decision making, including budgetary considerations and
- The Board will engage in any other activity that facilitates or is conducive to, the achievements of its objectives.

The Board will:

- Have a Safeguarding Adults Review (SAR) Framework and a learning and development strategy which is shared across organisations that work with adults
- Monitor and evaluate the effectiveness of action plans arising from any SAR and of all training for professionals

In activities the Board will promote the equality of opportunity to meet the diverse needs and wishes of adults at risk across the region.

#### **4. Relationships with others**

The Board recognise other partnerships and organisations work across the region 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 Board will develop working protocols with:

- The Health and Wellbeing Board
- The Community Safety Partnership
- Local Safeguarding Children Boards
- All other relevant Boards

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

It is expected that all Board members will make formal contribution to the annual report and provide professional challenge to partners on their contributions.

#### **5. Independent Chair and Responsibility**

The Board will have an Independent Chair in order to hold all members to account. The Directors of Adult Social Care and, the Elected Lead Members will hold the Chair to account for the effective working of the Board in consultation with Board members. It is the responsibility of the host Council's Chief Executive to remove the Chair in consultation with regional counterparts.

The Chair will work closely with all partners and particularly with the DASS Leadership Group.

The Chair will be responsible for publishing a Strategic Plan for each financial year; this plan will address both short and longer term priorities. The plan will also specify necessary action required by members. When preparing the plan the Board must consult Healthwatch.

The Chair will be responsible for publishing an annual report on the Board's activities including an assessment of the effectiveness of safeguarding arrangements and the challenges for the next year. The annual report will also provide information about Safeguarding Adults Reviews (SARs) undertaken by the Board. The report will demonstrate how the Board is monitoring progress against

policies and demonstrate intention to deliver the Strategic Plan. The annual report will cover activity undertaken in the preceding financial year. This should fit with agencies planning, commissioning and budget cycles. The report will be submitted to the following:

- Chief Executive and Leader of each member authority Police and Crime Commissioner and the Chief Constable
- Healthwatch from each member authority
- Chair of the Health and Wellbeing Board and
- CCG Executives

## **6. Activities of the Board**

In pursuit of its aims the Board will:

- Adopt the financial year
- Hold meetings at least six times a year, two of which will be development days
- Appoint a Vice Chair from the membership of the Board to support the role of the Independent Chair
- Require a quorum of at least 75 per cent of members, including at least two statutory partners, 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, the Independent Chair will make the final decision Review and agree Terms of Reference for sub groups on an annual basis at the first meeting of each financial year
- Keep a written record of all Board meetings and meetings of sub groups
- Any member of the Board may submit items to be included in the agenda of the 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 at least five days prior to the meeting;

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

In order to carry out these functions the following sub groups will liaise regularly, as appropriate:

- Performance Management
- Quality Improvement Safeguarding Adults Review
- Workforce Development
- Policy and Procedures
- Communication and Engagement
- Safeguarding Adults Reviews

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

Chairs of the sub groups will provide regular progress reports to the Board. Chairs of the subgroups will also provide exception reports to the Board.

The Board delegates responsibilities to the sub-groups to:

- Carry out work related to the different sections of the Strategic Plan;
- Undertake consultation as appropriate
- 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
- Prepare a response to consultation matters on behalf of the Board
- Investigate a particular issue

## **7. Membership**

Schedule 2 of the Care Act 2014 defines which statutory board partners are required to have membership of the Board. Membership of the Board will include other persons as considered appropriate.

Board partners will designate a named person in a strategic position within their organisation to represent them on the Board to ensure consistency and continuity. The representative must also be able to represent their counterparts across the region

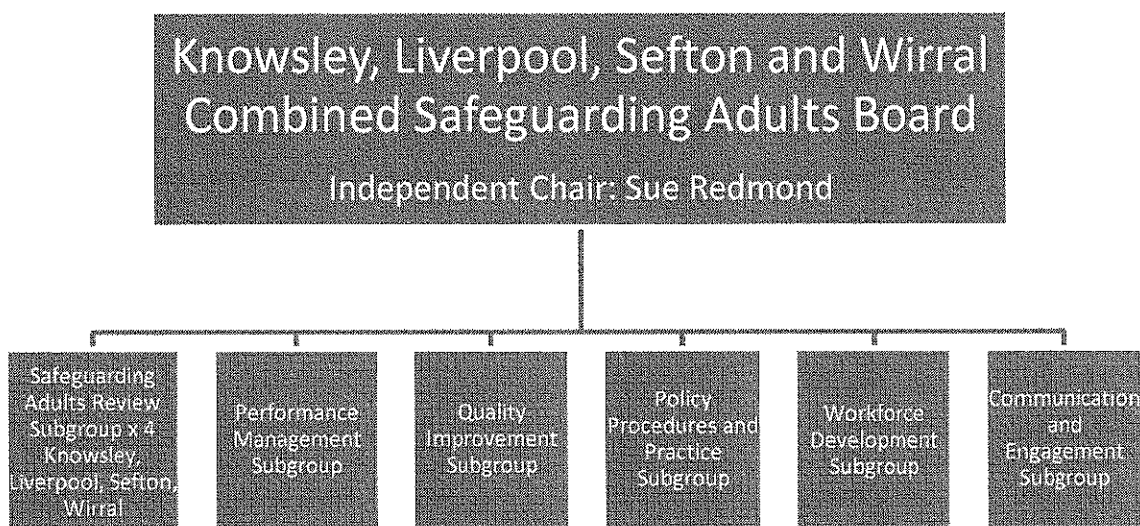
Members will have a strategic role in relation to safeguarding and promoting the welfare of adults within their own organisations. They will be able to:

- Speak for their organisations with authority
- Commit their organisations on policy and practice matters
- Hold their organisations to account.

Members will prioritise attendance at all Board meetings. In exceptional circumstances a suitable alternative representative may be nominated in agreement with the Independent Chair. Any deputies attending must have authority to commit their organisation to decisions. It is the responsibility of the Board member to ensure that their deputy receives the agenda and all associated papers.

The Board will request involvement of other relevant organisations, either by invitation for representation at Board, or sub group level. In addition invitation will be extended to others to contribute to discussion on specific issues.

At the discretion of the Chair of the Board, observers can attend and address Board meetings.



## 8. Memorandum of Understanding

Members of the Board will operate in accordance with the Memorandum of Understanding.

## 9. Required resource

The Board statutory members will contribute annually towards resources at an agreed level.

Members may, in addition, be required to provide resources such as staffing and accommodation.

## 10. Financial/resource arrangements

Statutory Partners have agreed the establishment and maintenance of a Pooled Fund pursuant to Schedule 2 of the Care Act 2014. This fund will include provision of a business unit to support the infrastructure of the Combined Safeguarding Adults Board. The fund will be managed by the host authority during 2017/18 financial year who will provide financial reports to the Board on a quarterly basis.

The dedicated business unit and budget for the Combined Safeguarding Adults Board will be managed by the host authority.

## **11. Disputes and complaints**

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

### **a. Disputes**

If there is a dispute between Board members the Independent Chair and the host Director of Adult Social Care will convene a joint meeting with the parties. This should take place within 28 days of determining that the dispute exists. In most cases the Independent Chair will chair these meetings. The agenda will be agreed jointly by the parties in the dispute.

If no agreement can be reached, either party to the dispute may suggest to the Chair that an independent mediator be appointed in a further attempt to resolve the dispute. If parties are not in agreement with this and no resolution has been identified within 28 days then the Independent Chair may refer the dispute to a Chartered Institute for Arbitrators to be resolved.

If there is a dispute between the Independent Chair and a Board partner or any other Board a similar process will be followed. The host Director of Adult Social Care will convene a joint meeting of the parties as above. If no agreement can be reached, either party to the dispute may suggest that an independent mediator be appointed in a further attempt to resolve the dispute. If parties are not in agreement with this and no resolution has been identified within 28 days then the host Director of Adult Social Care may refer the dispute to a Chartered Institute for Arbitrators to be resolved.

The Board can require a person or body to comply with a request for information. This can only take place where the information is essential to carry out Board statutory functions. Any requests for information about individuals must be 'necessary' and 'proportionate' to the reasons for the request. The Board will be



mindful of the burden of requests and should explain why the information is required.

#### **b. Complaints**

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 will investigate and attempt to reach a satisfactory resolution with the complainant.

#### **12. Non compliance**

The work of the Board will be set out in the Strategic Plan in time for the start of each financial year. All partner organisations will agree their commitment to fulfil their obligation to safeguard and promote the welfare of adults. This will include the commitment to fulfilling their role within the Board.

Issues of non-compliance will, be referred to the Independent Chair who will investigate and attempt to reach a satisfactory resolution through discussion with the representative of the agency concerned

#### **13. Monitoring and evaluation**

The Board's role is to receive assurance about 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 Board will monitor and evaluate this through its work. The Board will publish performance against objectives set out in the Strategic Plan within the Annual Report.

#### **14. Overview and Scrutiny**

The Board and its members will co-operate with any reasonable request in respect of its Overview and Scrutiny functions under Section 21 Local Government Act 2000 to provide independent dialogue on adult safeguarding.

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(Partner signature)

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(Partner name, organisation, position)

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DUE Redman

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24/4/17

(Partner name, organisation, position)

Date:

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(Partner name, organisation, position)

SIMON GARRER WIRRAL COUNCIL  
SAFEGUARDING LEAD

Date: 24/04/2017

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(Partner name, organisation, position)

LUE MOSS, KMBC, DASS

Date: 24/4/17

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Jane Calveley, Healthwatch Knowsley, NI

24/4/17

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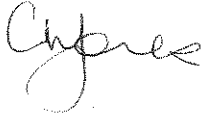


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(Partner name, organisation, position) WIRRAL BOROUGH COUNCIL  
CABINET MEMBER FOR ADULT CARE

Date: 24.4.17

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(Partner name, organisation, position) DEBBIE FAGAN - CHIEF NURSE  
SOUTH SEFTON CCG

Date: 24.4.17

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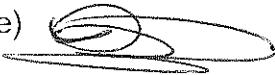


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(Partner name, organisation, position) DEBBIE FAGAN - CHIEF NURSE  
SOUTHPCET + FORMBY CCG

Date: 24.4.17

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Date:


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SANDRA OLUNYE NATIONAL PROBATION SERVICE, ASSISTANT CHIEF OFFICER  
(Partner name, organisation, position)

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Date: 24/4/17

PHILIP BARTLEY, CARE QUALITY COMMISSION, INSPECTION MANAGER  
(Partner name, organisation, position)

(Partner signature) 

Date: 24/04/2017

CATHERINE CHALLINOR, CARE QUALITY COMMISSION, INSPECTION MANAGER  
(Partner name, organisation, position)

(Partner signature) 

Date: 24/4/17

(Partner name, organisation, position)

(Partner signature)

Date:

(Partner name, organisation, position)





LORNA QUIGLEY - WCCG DIRECTOR OF QUALITY &  
(Partner name, organisation, position) PT SAFETY

Date:

(Partner signature)



24<sup>th</sup> April 2017

(Partner name, organisation, position)

RICHIE SALTER, MERSEYSIDE POLICE - Detective Superintendent

Date:

(Partner signature)

24/4/2017



(Partner name, organisation, position)

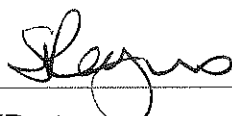
Liverpool City Council

S. ROGERS AD Adult Social

Date:

24/4/17

(Partner signature) Care



(Partner name, organisation, position)

Date:

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(Partner name, organisation, position)



GRAMM HODKINSON, OASS

(Partner name, organisation, position) WIRRAL COUNCIL

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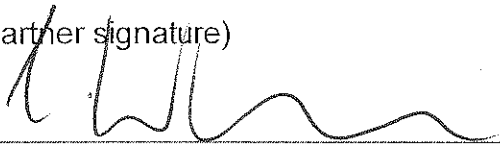
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TINA WILKINS SEFTON COUNCIL

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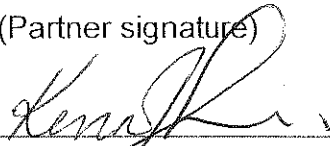
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(Partner name, organisation, position)

KEVIN JOANSON

MERSEYSIDE FIRE &  
RESCUE SERVICE

(Partner signature)



Date:

24/4/17

(Partner name, organisation, position)

PAUL ARMSTRONG

MERSEYSIDE COMMUNITY &  
REHABILITATION COMPANY

(Partner signature)



Date:

24/4/17

(Partner name, organisation, position)



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(Partner name, organisation, position)

NTS LIVERPOOL CLINICAL COMMISSIONING GROUP  
CHIEF NURSE.

Date: 24<sup>th</sup> April 2017

(Partner signature)

J. Hunt

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(Partner name, organisation, position)

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