



The Staffordshire and Stoke-on-Trent  
**Adult Safeguarding Partnership**  
Abuse must stop

## THE CONSTITUTION OF THE STAFFORDSHIRE AND STOKE-ON-TRENT ADULT SAFEGUARDING PARTNERSHIP BOARD (Revised July/August 2016)

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## 1. INTRODUCTION

Following enactment of the Care Act 2014; Local Authorities that deliver adult social care have a statutory requirement to lead adult safeguarding and to set up an Adult Safeguarding Board. The Staffordshire and Stoke-on-Trent Adult Safeguarding Partnership Board (SSASPB) was jointly established by Staffordshire County Council and Stoke-on-Trent City Council. The Board is a broad partnership of statutory, public, voluntary and independent sector organisations, who commit to work together effectively to reduce the number of adults at risk of neglect and abuse. The Board will work with those at risk of and/or have experienced neglect or abuse in a way that listens to their wishes about how their case should be handled and promotes their involvement in the investigation and the development of their protection plan. An individual's ability to decide what actions should, or should not be taken where suspected abuse has occurred, will always be based on an assessment of their mental capacity as required by the Mental Capacity Act 2005. The views of the individual affected will always be central to the Adult Safeguarding process. The response to allegations of abuse must always be proportionate to the seriousness of the concerns that have been raised.

*With reference to the Care Act 2014 safeguarding duties apply to an adult who:*

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

Throughout this document the term 'adult' refers to the definition above.

The Local Government Association (LGA) in partnership with the Association of Directors of Adult Social Services (ADASS) proposed a vision for Adult Safeguarding in 2013:

People are able to live free from harm, where communities:-

- Have a culture that does not tolerate abuse
- Work together to prevent abuse
- Know what to do when abuse happens

The vision requires that local authorities lead a commitment to improve outcomes for people at risk of harm from abuse.

## 2. THE ROLE OF THE STAFFORDSHIRE AND STOKE-ON-TRENT ADULT SAFEGUARDING PARTNERSHIP BOARD (SSASPB)

As previously mentioned the SSASPB became a statutory partnership with the enactment of the Care Act in April 2015. The main objective of the SSASPB is to assure itself that local safeguarding arrangements and partners act to help and protect adults in its area who meet the criteria set out above. The Care Act 2014 states that the '*objective of a SAB is to help and protect adults in its area by coordinating and ensuring the effectiveness of what each of its members does*'.

### 3. THE CORE DUTIES OF THE SSASPB

The Care Act 2014 states that the Board must:

- Publish a strategic plan for each financial year that sets out how it will meet its main objective and what the members will do to achieve this. The plan must be developed with local community involvement, and the SSASPB must consult the local Healthwatch organisation. The plan should be evidence based and make use of all available evidence and intelligence from partners to form and develop its plan;
- Publish an annual report detailing what the SSASPB 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 Adult Reviews and subsequent action;
- Conduct any Safeguarding Adult Reviews in accordance with Section 44 of the Care Act 2014.

Other key duties include:

- Play a strategic role in holding organisations to account where practice leads to abuse;
- Ensure policies and procedures promote engagement with adults throughout the enquiry process (Policies and Procedures);
- Ensure staff are competent in working with people and have the authority, skills and knowledge to use the full range of interventions/legal powers. (Learning and Development);
- Ensure lessons are learnt to improve practice;
- Communicate the importance of adult safeguarding widely to communities and all those delivering services with guidance on how to seek help and support (Executive)
- Collect hard data (statistics), qualitative data (audits) and the views of service users, carers and family members' to inform commissioners of service requirements and to improve practice. (Performance, monitoring and evaluation)

### 4. GOVERNANCE ARRANGEMENTS

The Board has an Independent Chair and all members will have equal power to challenge each other as required and to seek assurance that all services are being delivered and coordinated effectively.

#### **Chairing Arrangements**

It is the responsibility of the Staffordshire County Council and Stoke-on-Trent City Council to appoint an Independent Chair after consultation with the SSASPB partners. The Chair must be of sufficient stature and authority to undertake the role and will be selected with the agreement of a group of multi-agency partners and have access to training to support them in their role.

There will be a presumption that the Chair will be independent of the local agencies so that the SSASPB Chair can exercise local challenge effectively.

This role and performance of the Independent Chair will be subject to a periodic review, as agreed by the Executive sub-group, against the agreed functions as above. The opinions of SSASPB members will be sought before the review.

The Independent Chairperson must retain the continued confidence of all SSASPB members in maintaining the independence of the Board.

The quarterly SSASP Board meetings will be chaired by the SSASPB Independent Chair.

Board members will elect the Vice-Chair who will, as a result of this election, Chair the Executive sub-group. The position of Vice-Chair will be reviewed after three years. At the end of this period a new Deputy may be elected or the current incumbent may be asked to remain on a yearly basis if they and the Board partners agree to this.

### **Board Structure**

The Board will establish sub-groups to facilitate the delivery of its core functions. These sub-groups will be:-

Executive

Policies and Procedures

Learning and Development

Performance, Monitoring and Evaluation

Safeguarding Adult Reviews

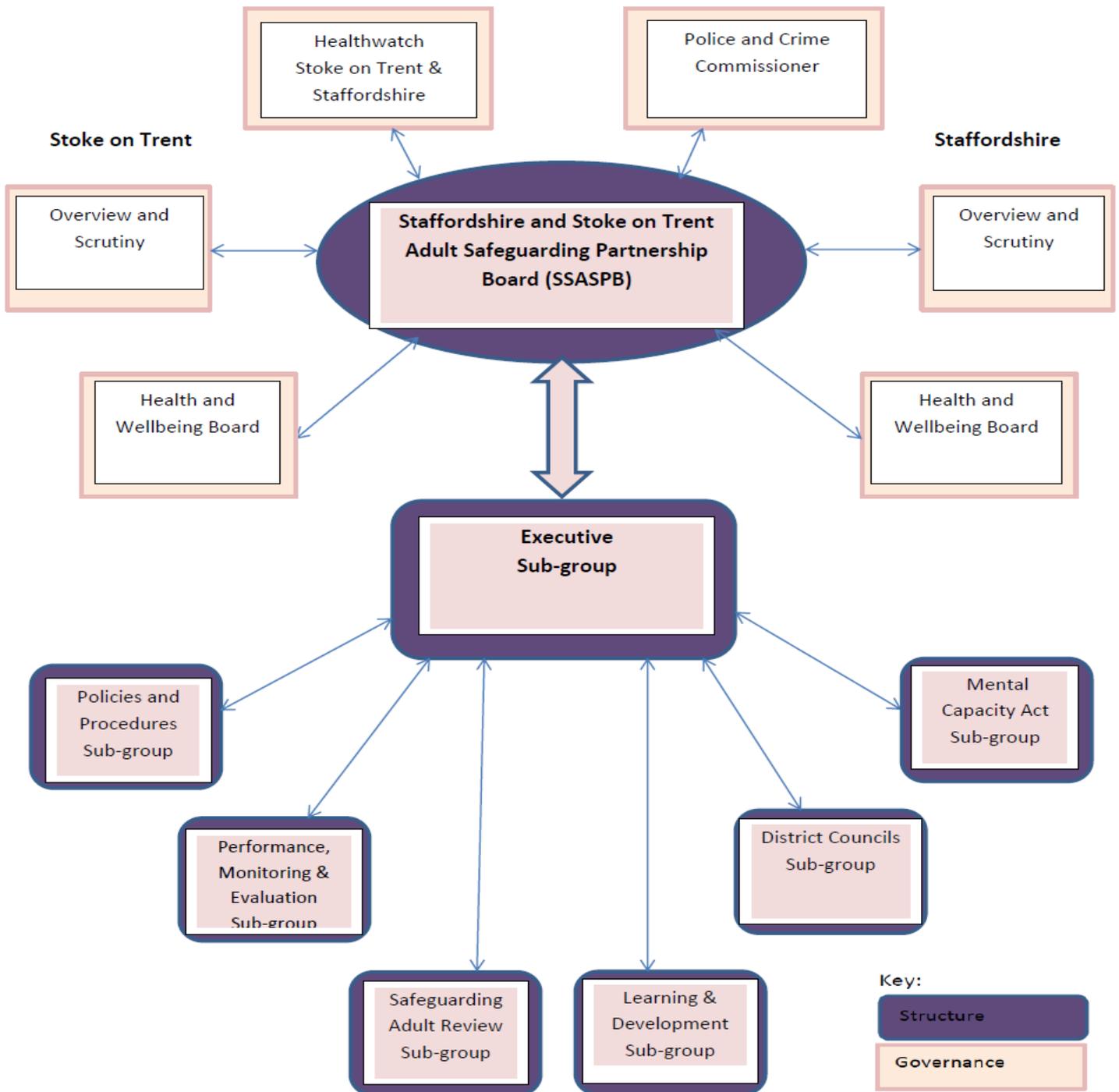
Staffordshire District Safeguarding (Adults and Children; Staffordshire only)

Mental Capacity Act

The work of these sub-groups will be driven and monitored by a small Executive Group made up of the Board Manger, Sub-group Chairs and Officers to the Board.

Governance arrangements:

**Governance and Structure**



## **The Partnership Network**

The SSASPB will work closely with other safeguarding partnerships and align its work where possible. Examples of other partnerships are:-

### Children and Young Persons Strategic Partnership

Criminal Justice System

Hate Crime Partnerships

Independent and Voluntary Provider Forums

Local Authority Overview and Scrutiny Committees

Local Domestic Abuse Partnerships

Multi Agency Public Protection Arrangements (MAPPA)

North and South Staffordshire Coroners

Office of the Police & Crime Commissioner

Safer City Partnership; Stoke-on-Trent

Staffordshire and Stoke-on-Trent Children and Family Strategic Partnerships

Staffordshire and Stoke-on-Trent Health and Wellbeing Boards

Staffordshire and Stoke-on-Trent Healthwatch

Staffordshire and Stoke-on-Trent Safeguarding Children Boards

Staffordshire Safer & Stronger Communities Committees

Stoke-on-Trent Adult Strategic Partnership

The Care Quality Commission (CQC)

Third sector agencies

The SSASPB is also responsible for challenging the Health and Wellbeing Boards and other partnerships to ensure that vulnerable adults are actively considered as part of their work.

## **Membership**

The organisations named as the statutory members of Adult Safeguarding; Boards in the Care Act are Local Authorities, Police and NHS Clinical Commissioners, however broader membership can be determined locally. The approach in Staffordshire and Stoke-on-Trent is to establish a board with wider representation.

As of March 2015 the membership of the SSASPB will include the following organisations:-

- Burton Hospitals NHS Foundation Trust (BHFT)
  - Community Rehabilitation Company; Staffordshire and Stoke-on-Trent (CRCs)
- Department of Work and Pensions (DWP)
- District Safeguarding Sub-Group
- Domestic Abuse Forum
- Hate Crime Forums
  - Healthwatch; Staffordshire and Stoke-on-Trent
- Her Majesty's Prison Service; West Midlands (HMPS)
- Housing; Stoke on Trent
- Independent Futures,
- National Probation Service; Staffordshire and Stoke-on-Trent (NPS)
- NHS England - Shropshire and Staffordshire Local Area Team
- North Staffordshire & Stoke-on-Trent Clinical Commissioning Groups
- North Staffordshire Combined Healthcare NHS Trust (NSCHCT)
- Representatives from the third sector and Independent Care Providers
- South Staffordshire and Shropshire NHS Foundation Trust (SSSFT)
- South Staffordshire Clinical Commissioning Groups
- Staffordshire and Stoke-on-Trent Partnership NHS Trust (SSOTP)
- Staffordshire County Council (SCC)
- Staffordshire Fire & Rescue Service (SFARS)
- Staffordshire Police
- Stoke-on-Trent City Council
- Trading Standards
- University Hospitals of North Midlands including County Hospital in Stafford (UHNM)
- West Midlands Ambulance Service (WMAS)
- Local Authority Lead members

Other organisations may be invited to become members as required by business plans, or to attend for a specific purpose.

Members of the SSASPB must have sufficient seniority and authority within their organisations to be able to make decisions on their behalf and to cascade information and consult on Board proposals. It is envisaged that Board members will hold the Safeguarding responsibility for their organisation.

Members will be asked to identify a deputy to attend the Board for them in exceptional circumstances. Statistics on attendance at Board meetings will be collated annually for the SSASPB Annual Report.

Board meetings will be attended by Officers to the Board. These will be the SSASP Board Manager and Safeguarding Leads from Statutory Partners which are the CCGs, Local Authorities and Staffordshire Police. Officers to the Board are to act in an advisory capacity and will not have voting rights unless this function has been specifically delegated to them.

If an SSASPB member fails to attend two consecutive meetings without sending apologies, then the Chair, on behalf of the Board, may write to that member. If non-attendance continues, the Chair will write to the senior person of that agency seeking a replacement. (This also applies to sub-group membership).

Wherever possible the Chair will seek to establish a consensus on any decisions made. If this is not possible a vote will be taken and, if tied, the Chair (or Deputy Chair) will have the casting vote. On the rare occasion where a vote is required only members of the Board (or their Deputies in their absence) will be eligible to vote.

Standing sub-groups will usually be chaired by an Officer or Member of the SSASPB. The term of office for sub-group Chairs will be subject to a rolling agreement and will be reviewed every three years, in advance of renegotiation of the strategic priorities. Board members may nominate someone from their organisation to chair a sub-group and the Board member will report to the Board on their behalf.

The Chairs of the sub-groups will form the membership of the Executive group along with the Officers to the Board and Board Manager. The Executive Group will be chaired by the Deputy Chair of the SSASPB.

### **Monitoring & Inspection**

Whilst a role for the SSASPB is to monitor and review the work of all agencies involved in the protection, safeguarding and promotion of the welfare of adults at risk of abuse, neglect or harm across Staffordshire and Stoke-on-Trent it will also be subject to scrutiny and inspection itself.

The Chair will meet regularly with Directors of both Local Authorities and will attend the Overview and Scrutiny Committees of both Local Authorities as required. The Chair will also meet with the Lead Councillors for Adult Safeguarding as outlined in the contract.

Once approved by the Board, the Annual Report will be published through the SSASPB website.

The effectiveness of the SSASPB will contribute to judgements made in any local authority or individual service inspections.

## 5. SSASPB OPERATIONAL ARRANGEMENTS

### **Members Responsibilities**

The key roles of a member are:-

- To contribute to the effective working of the SSASPB, promoting high standards of safeguarding work and fostering reflective practice, leading to continuous improvement of outcomes;
- To represent their organisation on the SSASPB, speaking with authority for that organisation; committing the organisation on policy and practice matters and holding the organisation to account in respect of its work to ensure the safety of adults at risk of abuse, neglect or harm within the community. Members will be given the opportunity to consult within their organisations on any commitment to resources or actions;
- To represent and promote the work of the SASSPB within their organisation, ensuring that the organisation is meeting its obligations to protect adults and acting as its safeguarding 'conscience';
- To keep in contact with frontline professionals so that their concerns can inform the work of the Board;
- To raise unresolved issues of concern to the Board in relation to front line activities if the escalation policy for raising concerns has not been successful;
- Statutory Board members (Police, Local Authorities and Clinical Commissioning Groups) are to be responsible for ensuring that arrangements for the funding of the SSASPB are addressed within their own organisations;
- To be an objective member in undertaking scrutiny of the performance of the SSASPB and the services provided by all organisations. Where necessary this should take precedence over their role as their organisation's representative;
- To work to these agreed terms of reference, with explicit lines of reporting and communication.

Some members may not have clear accountability frameworks for the groups they represent, e.g. the third sector. In this case the expectation will be that they communicate the decisions made and the work of the SSASPB effectively within their organisation and networks.

### **Responsibilities of the Member Organisations**

Member organisations will be required to support their SSASPB representative in carrying out their SSASPB responsibilities. This will include providing dedicated time to fulfil their role, supporting them in developing a safeguarding accountability framework within their organisation, and ensuring that safeguarding underpins all their activities.

To ensure that the aims and functions of the Board are delivered it is expected that statutory partners make an annually agreed financial contribution i.e. Police, Local Authorities and Clinical Commissioning Groups.

To further assist SSASPB 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 SSASPB. **(This will be drafted following approval of the revised Constitution).**

### **SSASPB Sub-Groups**

The SSASPB is further supported by dedicated sub-groups, convened on its behalf to co-ordinate the SSASPB's work to deliver on its core functions.

The core functions of the SSASPB will be performed by sub-groups in accordance with the Strategic Plan and annual business plans which will deliver the key strategic priorities of the Board. Progress will be monitored by the Executive sub-group and reported regularly to the Board. The annual performance reports of the sub-groups will be incorporated into the Board's annual report. Task and Finish groups which may be established by the sub-groups will be given a clear remit, reporting arrangements and timescales.

Sub-groups will meet a minimum of six times per year; however the District sub-group (which is shared with the Staffordshire Children Board) meets quarterly. Accurate records of their activities will be maintained and will be reported to the SSASPB.

### **SSASP Board Meetings**

Quarterly meetings of the SSASPB will be held and should last for a maximum of three hours. This may be increased to meet the demands of the agenda and if so advance notice will be given of the extended meeting duration.

The Chair may call an extraordinary meeting at any time, and members can make a written request for such a meeting to the Chair. This will normally only be considered if several members make such a request or in the event of a Safeguarding Adult Review requiring such a meeting.

All SSASPB meetings will be minuted and the minutes submitted for approval as soon as possible after the date of the meeting.

The activities of the Board will be directly supported and have its work co-ordinated by the SSASPB Manager.

## **SSASPB Executive Group**

Consisting of the Board Manager, Officers of the Board and Chairs of sub-groups, the work of the Executive will be:-

- To agree a draft annual Business Plan which will include a few key strategic priorities to be presented to the SSASPB in April of each year for approval;
- To agree the draft SSASPB Annual Report to be presented to the Board at its October Meeting. Once endorsed, a copy of this document will be circulated to the Health and Wellbeing Boards, the Police and Crime Commissioner, the two local Healthwatch organisations, the Leaders of the Councils and the Chief Executives of all partner organisations as well as being published on the SSASPB website;
- To propose the agenda for the quarterly Board meetings and ensure actions arising from meetings are carried out;
- Review and monitor the performance of the sub-groups in relation to their agreed business plans;
- To request and receive reports of the sub-groups;
- To review and monitor performance in relation to an agreed data set;
- To oversee the membership and the attendance of representatives on sub-groups;
- To delegate work as required and monitor completion in terms of quality and timescale;
- To review and monitor the SSASPB budgets;
- To consider communication issues as they arise and if necessary escalate them to safeguarding communication leads for a one-off meeting to take forward specific proposals;
- To carry out additional functions as may from time to time be delegated by the SSASPB.

The Executive will meet each month when a full meeting of the SSASPB does not take place.

Meetings will be chaired by the Deputy Chair of the SSASPB and convened by the Board Manager.

## **Data Protection/Confidentiality and Freedom of Information**

Members will ensure that their own organisation's Data Protection Registration, where appropriate, covers their involvement in the activities of the SSASPB.

All members will adhere to the provisions of the Data Protection Act 1998 and maintain confidentiality at all time, other than where a specific exemption under that Act arises; this principle will apply during a member's participation in the SSASPB and will continue when an individual is no longer a member, or following a dissolution of the SSASPB.

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. Therefore it is important to acknowledge that this issue applies to all members of the Board and its sub committee members.

Members of the SSASPB will make appropriate arrangements to ensure compliance with the provisions of the Freedom of Information Act 2000.

### **Equal Opportunities/Discrimination/Human Rights**

All members of the SSASPB will adhere to equal opportunities principles.

All members of the SSASPB will adopt and maintain anti-discriminatory practices in the Board's functions.

All members of the SSASPB will adhere to the provisions of the Human Rights Act 1998.

## **6. FINANCING AND STAFFING**

To support the work of the SSASPB, a Board Manager and administrative post will be appointed, funded by contributions from partners.

## **7. COMPLAINTS**

If any Board member wishes to raise a complaint against another partner agency which cannot be resolved via managerial dialogue, then the complainant must raise this with the Independent Chair of the SSASPB who will consider the basis of the complaint and a way forward.

Any complaint made by one agency against another agency will be retained on a database for any future audit trail and/or reference.

## **8. DISPUTES**

Disputes between Board members or partner organisations will normally be resolved by discussion at a meeting of the Board. If no agreement can be reached the matter will be referred to an appropriate resolution mechanism determined by the SSASPB taking account of:

- The type of dispute;
- The knowledge, expertise and seniority required in resolving the matter.

Where a dispute remains unresolved despite the above arrangements, it will be referred to the appropriate Director of Adult Social Services (DASS). If the dispute remains unresolved it will be referred to a professional independent adviser

## **9. REVIEW OF THE CONSTITUTION**

The Constitution will be reviewed annually by the Executive sub-group and any changes will be ratified by the SSASPB. Any member may request a review of this Constitution by writing to the Independent Chair giving reasons for their request and stating the desired outcome.

The Independent Chair will then notify the members of the issue and ensure the item is placed on the agenda of the Executive sub-group for consideration and, where change is recommended, it will be referred to the SSASPB.