



Staffordshire and Stoke-on-Trent
Adult Safeguarding Partnership Board

Abuse must stop

THE CONSTITUTION OF THE STAFFORDSHIRE AND STOKE-ON-TRENT ADULT SAFEGUARDING PARTNERSHIP BOARD

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Document	The Constitution of the Staffordshire and Stoke-on-Trent Adult Safeguarding Partnership Board		
Date Created	January 2015	Version	March 2019
Revised	March 2019		
Status	For publication		
Review Date	March 2020		

Metadata for this document

Name	Content
Subject Category	Governance
Description	SSASPB Constitution
Audience	Board Partners
Creator	Executive sub-group Members
Contributors	Consultation via SSASPB Board Members
Publisher	SSASPB
Protective Marking	Unclassified

Revision History

Revision Date	Revised by	Previous Version	Description of revision
March 2017	Executive SG	1	Contents (pg. 3) Addition of key duties as per the Care Act 2014 Guidance (pg. 3) Chairing arrangements (pg.5) Updated Board membership (pg.8) Voting arrangements (pg.9) Memorandum of agreement
Sept 17	Executive SG September 2017	1	Addition of the new Board member process: page 10 Addition of a definition of quoracy for Executive sub-group: page 14
Sept 18	Executive SG	1	Amendments to Introduction (pg. 4) Amended wording for governance arrangements (pg. 6) Update Board Membership (pg. 8/9)
March 2019			Amendment to sub-group structure, membership of Executive Sub-group.

Governance

This document requires the following approvals:

Approving Body/Group	Approved on	Chair signature
Executive sub-Group		
SSASPB		

CONTENTS

1. Introduction and vision	4
2. Objective of the Staffordshire and Stoke-on-Trent Adult Safeguarding Partnership Board (SSASPB)	5
3. Core duties of the SSASPB	5
4. Governance arrangements	6 - 11
i. Chairing arrangements	6
ii. Board structure	7
iii. Governance	8
iv. Membership	9
v. The Partnership network	10
vi. Monitoring and inspection	11
5. SSASPB operation arrangements	11 - 14
i. Members responsibilities	11
ii. Responsibilities of the Member organisations	12
iii. SSASPB Sub-Groups	12
iv. Sub-Group Chairs; roles and responsibilities	12
v. SSASPB Board meetings	13
vi. SSASPB Executive Sub-Group	13
vii. Data Protection/Confidentiality and Freedom of Information	14
viii. Equal opportunities/ Discrimination/Human Rights	14
6. Financing and staffing	15
7. Complaints	15
8. Disputes	15
9. Review of the Constitution	15

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 a Safeguarding Adult Board (SAB). 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 abuse and neglect.

A key focus of the Board is to ensure that safeguarding is consistently understood by anyone engaging with adults with care and support needs who may be at risk of or experiencing abuse or neglect. Whilst there is a common commitment by safeguarding partners to improving outcomes, in practice by way of example, this means understanding how to support and empower people at risk of abuse and neglect to resolve the circumstances which put them at risk.

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 Board seeks to encourage and develop practice which puts the person with care and support needs in control and generates a more person-centred set of responses and outcomes. This means the Safeguarding Adults Board seeking assurances and being confident that effective advocacy services are in place for anyone who may need them at any point during a safeguarding episode.

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.

VISION FOR SAFEGUARDING IN STAFFORDSHIRE AND STOKE-ON-TRENT

Adults with care and support needs are supported to make choices in how they will live their lives in a place where they feel safe, secure and free from abuse and neglect.

Our vision recognises that safeguarding adults is about the development of a culture that promotes good practice and continuous improvement within services, raises public awareness that safeguarding is everyone's responsibility, responds effectively and swiftly when abuse or neglect has been alleged or occurs, seeks to learn when things have gone wrong, is sensitive to the issues of cultural diversity and puts the person at the center of planning to meet support needs to ensure they are safe in their homes and communities.

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

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, to:

- identify the role, responsibility, authority and accountability with regard to the action each agency and professional group should take to ensure the protection of adults
- establish ways of analysing and interrogating data on safeguarding 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 which should be formulated, not only in collaboration and consultation with all relevant agencies but also take account of the views of adults who have needs for care and support, their families, advocates and carer representatives
- develop preventative strategies that aim to reduce instances of abuse and neglect in its area
- identify types of circumstances giving grounds for concern and when they should be considered as a referral to the local authority as an enquiry
- formulate guidance about the arrangements for managing adult safeguarding, and dealing with complaints, grievances and professional and administrative malpractice in relation to safeguarding adults
- develop strategies to deal with the impact of issues of race, ethnicity, religion, gender and gender orientation, sexual orientation, age, disadvantage and disability on abuse and neglect

- balance the requirements of confidentiality with the consideration that, to protect adults, it may be necessary to share information on a 'need-to-know basis'
- identify mechanisms for monitoring and reviewing the implementation and impact of policy and training
- carry out safeguarding adult reviews and determine any publication arrangements;
- produce a strategic plan and an annual report
- evidence how SAB members have challenged one another and held other boards to account
- promote multi-agency training and consider any specialist training that may be required. Consider any scope to jointly commission some training with other partnerships, such as the Community Safety Partnership

4. GOVERNANCE ARRANGEMENTS

I. Chairing Arrangements

It is the responsibility of the Staffordshire County Council and Stoke-on-Trent City Council to appoint a Chair who is independent of the local agencies so that he/she can exercise local challenge effectively.

The Independent Chair must be of sufficient stature and authority to undertake the role and will be selected following involvement with and agreement of multi-agency partners. The appointed Chair will have access to training to support them in their role.

The role and performance of the Independent Chair will be subject to a periodic review, which will be at least every two years, as agreed by the Executive sub-group, against the agreed functions as above. Feedback from SSASPB members will be sought to inform the review. It will be conducted, following consultation and agreement between the two Local Authority Chief Executives or equivalent, by the Chief Constable of Staffordshire Police and the Accountable Officer of the local CCGs (Statutory partners). The review team should include at least one representative of the Local Authority and one other statutory partner. The Chief Executives/Accountable Officer/Chief Constable may delegate the role to the Director of Adult Social Services (DASS), CCG delegate and relevant Assistant Chief Constable.

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 Independent Chair.

The Chair of the Executive Sub-Group will be appointed as the Vice-Chair of the Board. The position of Chair of the Executive Sub-Group will be reviewed at least every three years when the Independent Chair will seek the views of the other sub-group members and base any decision on this. The Vice-Chair of the Executive Sub-Group will be appointed from the Executive membership through expressions of interest and support from other members.

Other sub-group chairs will be an officer or member of the Board and appointed from the membership of the relevant sub-group, however it may be that the chair is from the previous chair's organisation without being a member prior to selection if that person is willing to take the position and the rest of the sub-group members agree. Board members may also nominate someone from their organisation to chair a sub-group and the Board member will report to the Board on their behalf.

The term of office for sub-group Chairs will be reviewed every three years or sooner if necessary.

The Executive sub-group will be formed by the Independent Chair, The Vice Chair (usually the Chair of the Executive sub-group), sub-group Chairs, officers to the Board (statutory partner representatives) and the Board Manager. It will also include the Adult Safeguarding Managers of the two Local Authorities if they are not a sub-group chair.

II. Board Structure

The Board will establish sub-groups to facilitate the delivery of its key duties outlined in Section 3 above. In April 2019 a decision was taken to reduce the number of formal sub-groups in response to the SSASPB Development Day held on 18th May 2018. From 1st April 2019 these will be :

- Executive
- Safeguarding Adult Reviews
- Audit and Assurance – formerly known as Performance Monitoring and Evaluation
- Prevention and Engagement – a new sub-group to support the delivery of the Engagement Strategic Priority
- District/Borough Council (Adult and Children Safeguarding; Staffordshire only as Stoke-on-Trent has a Unitary Authority but can include representatives from Stoke e.g. Housing)
- Practitioner Forum; A new forum will sit under the governance of the Board at which tactical/operational processes and procedural matters will be discussed. The attendance at the forum will be determined by the topics discussed at each meeting and is intended to address any issues which impact upon how connected agencies work together at a tactical level. The forum will be chaired and vice chaired by the two Local Authority Safeguarding Managers and will report directly into the Executive Sub-group. It will meet as and when topics for discussion are raised and frequency will not be mandated.

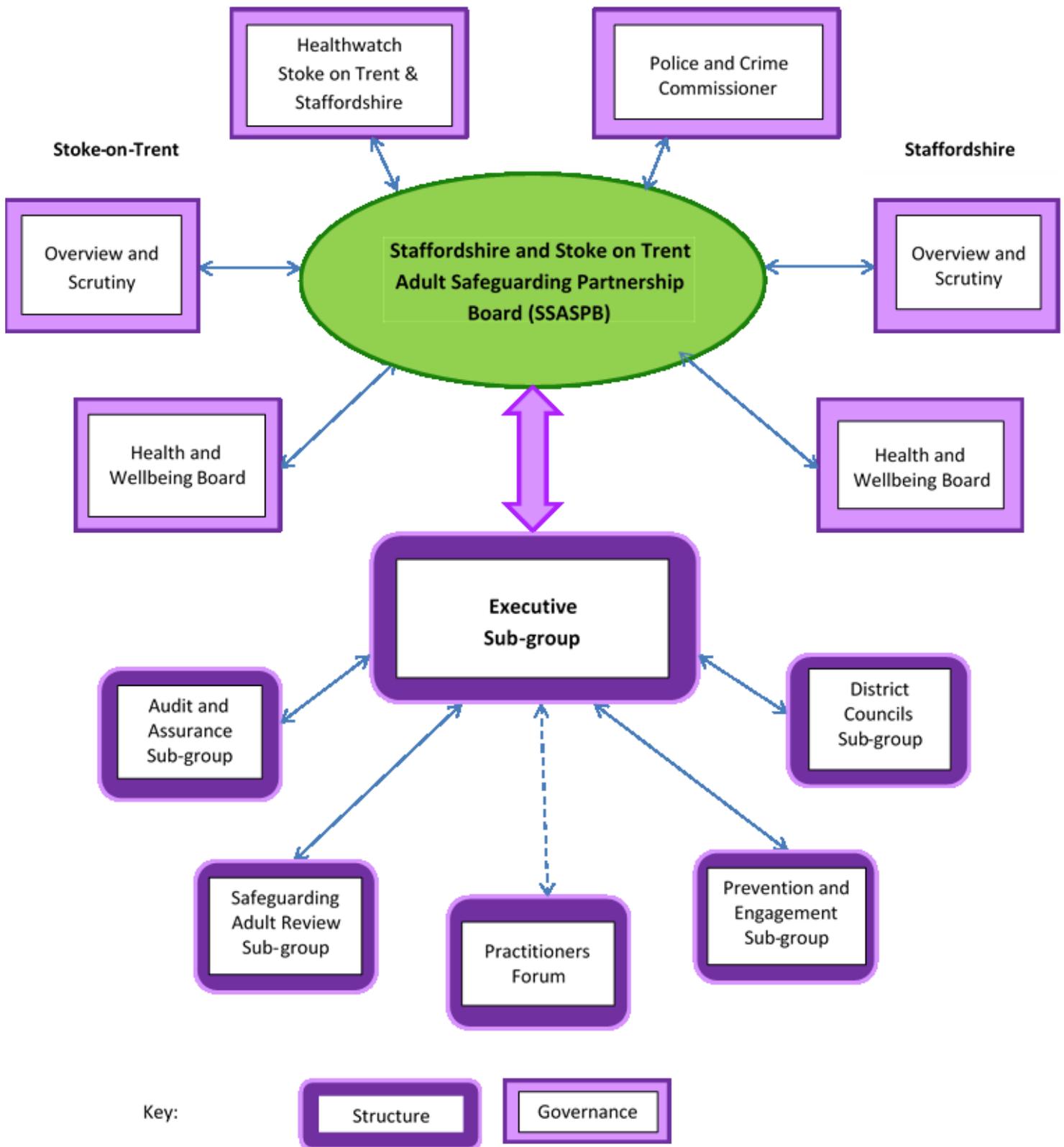
As a result of the decision to reduce the number of sub-groups, the following three sub-groups cease to exist after 1st April 2019:-

- Policies and Procedures: The work and membership of this sub-group will continue through virtual engagement; task to finish groups may be formed when the need arises.
- Learning and Development: The work of this sub-group has been reallocated to other sub-groups. Audit and Assurance will oversee the assurance element of the Training Strategy and the Safeguarding Adult Reviews sub-group will take responsibility for the 'lesson learned' work.
- Mental Capacity Act: The sub-group has completed its business plan workstreams, however a distribution list will be maintained with whom to share and consult upon new guidance or matters of interest. There will be an opportunity to form a task to finish group if it is agreed that there is good reason to do so.

Work-stream updates will be routinely provided to the Executive sub group.

III. Governance arrangements

Governance and Structure



IV. Membership

Through the requirements of the Care Act 2014 Staffordshire County Council, Stoke-on-Trent City Council, Staffordshire Police and the six Clinical Commissioning Groups in Stoke-on-Trent and Staffordshire are statutory partners of the SSASPB.

As part of its inclusive approach that recognises that safeguarding is everyone's responsibility the statutory partners have agreed to invite the following organisations or departments to become members of the SSASPB.

- Community Rehabilitation Company; Staffordshire and Stoke-on-Trent (CRCs)
- 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
- Local Authority Lead members
- Midlands Partnership Foundation Trust (MPFT)
- National Probation Service; Staffordshire and Stoke-on-Trent (NPS)
- North Staffordshire Combined Healthcare NHS Trust (NSCHCT)
- Representatives from the voluntary sector
- Staffordshire and Stoke-on-Trent Clinical Commissioning Groups (CCGs)
- Staffordshire Association of Registered Care Providers (SARCP)
- Staffordshire Fire & Rescue Service (SFARS)
- Trading Standards; Staffordshire and Stoke-on-Trent
- University Hospital of Derby and Burton (UHDB)
- University Hospitals of North Midlands including County Hospital in Stafford (UHNM)
- Virgin Care
- West Midlands Ambulance Service (WMAS)

Subject to the agreement of the statutory partners other organisations may be invited to become members of the SSASPB as required by business plans, or to attend meetings for a specific purpose.

Organisations may also request to become members of the SSASPB. Upon receipt of this request the point of contact will be asked to arrange for the proposed Board representative to outline their reasoning for the request and also in what capacity they wish to engage e.g. Board and/or sub-group attendance. Responses will be considered by the Independent Chair and officers to the Board. The Board Manager will advise the enquiring organisation of the result together with reasoning for the decision.

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.

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 at the Board meetings unless this function has been specifically delegated to them.

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 with delegated authority) will be eligible to vote. Where organisations are represented by more than one member, the most senior representative present will have the casting vote.

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 seeking an explanation. If non-attendance continues, the Chair will follow up with the chief officer of the agency. (This also applies to sub-group membership). Records of attendance at Board meetings will be collated annually for the SSASPB Annual Report.

V. The Partnership Network

As part of its coordination, challenge and seeking assurance role the SSASPB will work closely with other safeguarding partnerships and align its work where possible. Examples of other partnerships are:-

- Hate Crime Partnerships
- Domestic Abuse Partnerships
- Multi Agency Public Protection Arrangements (MAPPA)
- Safer Staffordshire Strategic Board
- Staffordshire and Stoke-on-Trent Health and Wellbeing Boards
- Healthwatch Staffordshire and Stoke-on-Trent
- Staffordshire and Stoke-on-Trent Safeguarding Children Boards
- Staffordshire Safer and Stronger Communities Committees

- Care Quality Commission
- Third sector agencies

VI. Monitoring & Inspection

Whilst one of the roles of 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 and both Health and Wellbeing Boards to present the SSASPB Annual Report. 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 work of the Board will be subject to Internal Audit procedures as part of local authority audit requirements. The effectiveness of the SSASPB will contribute to judgements made in any local authority or individual service inspections.

5. **SSASPB OPERATIONAL ARRANGEMENTS**

i. 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;
- 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 diversity within the structure of the Third Sector. In this case the expectation will be that Board members communicate relevant decisions and make appropriate links to the work of the SSASPB effectively within their organisation and networks.

ii. Responsibilities of the Member Organisations

Member organisations are 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. Where organisations are represented by more than one member, the most senior representative will sign the Memorandum of Agreement.

iii. SSASPB Sub-Groups

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.

iv. Sub-group chairs: Roles and Responsibilities

The Sub-group chairs (including the Executive sub-group) will: -

- Produce an annual schedule of meetings for the subgroup (with SSASPB admin support)
- Work with the administrator and Board Manager to produce an agenda and papers one week in advance of each meeting and approve minutes of meetings within two weeks of meetings taking place
- Hold individual Sub-group members to account for the completion of actions that result from Safeguarding Adult Reviews or other learning reviews
- Produce and review the sub-group business plan
- Attend the SSASPB Executive Group meetings
- Produce and review the Terms of Reference of the Sub-group

- Produce and review items for the SSASPB risk register
- Produce information for the Annual Report with specific reference to
 - i) Key achievements
 - ii) Challenges
 - iii) Messages to Commissioners
 - iv) Examples of safeguarding in action

v. 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 of circulation to members 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.

vi. SSASPB Executive Group

Consisting of the Board Manager, Officers of the Board, Chairs of sub-groups and the two Local Authority Safeguarding Managers. The work of the Executive will be: -

- To agree a draft annual Business Plan which will include the 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 sent 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.

The Executive sub-group is the key decision-making forum at which Board documents and processes are considered and submitted with recommendations for approval to the quarterly board meetings. To maximise the opportunity for statutory partners to be consulted upon with regard to key documents and processes the Executive sub-group must be quorate. To be quorate there must be representation from one of the Local Authorities, one of the Clinical Commissioning Groups and the Police. On the rare occasion that there is no police representative available to attend the meeting where key decisions are to be made the usual police representative will be canvassed for views and wherever possible a decision made at the meeting with this information. Should that not be possible then a decision will be pended for future discussion when the police representative is present. This process will also be considered if either of the Local Authorities and Clinical Commissioning Group representatives disagree on a decision item where one of the representatives is not present.

vii. **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 are expected to comply with the provisions of the Data Protection Act 1998 and the General Data Protection Regulations (2018) 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 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-group members.

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

viii. **Equal Opportunities/Discrimination/Human Rights**

All members of the SSASPB are expected to follow the principles and good practice on equal opportunities principles.

All members of the SSASPB will be expected to adopt and maintain anti-discriminatory practices in the Board's functions. All members of the SSASPB are expected to 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 support staff 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.