

# Kirklees Safeguarding Adults Board Constitution

**2022**

## **1. Title**

**1.1** The Board shall be known as the Kirklees Safeguarding Adults Board, hereafter known as the KSAB or the Board.

## **2. Purpose**

**2.1** The Care Act 2014, section 43 (1) requires each Local Authority to establish a Safeguarding Adults Board for its area.

**2.2.** The core purpose of the KSAB is to protect adults as defined in paragraph 42.1 of the Care Act 2014.

**2.3** The Board is the key strategic partnership for safeguarding adults for Kirklees and as such has a key role in promoting the wider agenda so that safeguarding is a responsibility for everyone.

**2.4** This requires the Board to use the Safeguarding Principles to develop and promote a culture based on these. The 6 Safeguarding Principles are:

- Empowerment
- Prevention
- Proportionality
- Protection
- Partnership
- Accountability

For further information please see page 5 of the [Joint Multi-agency Safeguarding Adults Policy and Procedures](#)

## **3. Objectives**

**3.1** It is the KSAB's responsibility, hosted by Kirklees Council, to:

- Assure itself that local safeguarding arrangements are in place as defined by the Care Act 2014 and statutory guidance
- assure itself that safeguarding practice is person-centred and outcome-focused
- work collaboratively to prevent abuse and neglect where possible
- ensure agencies and individuals give timely and proportionate responses when abuse or neglect have occurred
- assure itself that safeguarding practice is continuously improving and enhancing the quality of life of adults in its area

## **4. Functions**

**4.1** The objectives of the KSAB will be carried out through the following functions:

(i) Developing policies and procedures for safeguarding and promoting the welfare of adults at risk who meet the criteria set out at Care Act 2014 section 42.1.

(ii) Determining and maintaining clear processes and an understanding of these across Board members and local partners to ensure effective joint working and efficient use of resources.

(iii) Ensuring that single and multi-agency training is provided on safeguarding and promoting welfare and that this meets the required standard and is appropriate to the needs of relevant staff.

iv) Developing a 'Making Safeguarding Personal' culture throughout its work and promoting this with its partner agencies.

**4.2** The Board has overall lead for promoting the responsibility, authority and accountability for safeguarding across all agencies and stakeholders. This includes:

- publishing a strategic plan for each financial year that sets how it will meet its main objective and what the members will do to achieve this.
- publishing an annual report detailing what the KSAB has done during the year to achieve its main objective and implement its strategic plan.
- conducting any Safeguarding Adults Reviews in accordance with Section 44 of the Care Act.
- regulating its own procedure, establishing how it will hold partners to account and gain assurance of the effectiveness of its arrangements.
- determining arrangements for peer review and self-audit.

It also includes:

- developing policies, strategies and guidance for protecting adults, in collaboration and consultation with all relevant agencies and adults and their carers who have needs for care and support.
- quality assuring the safeguarding response across the partnership
- developing preventative strategies that aim to reduce instances of abuse and neglect in its area
- ensuring that matters of diversity and equality are addressed within all aspects of safeguarding work
- monitoring numbers, outcomes and trends, and ensuring action is taken to address identified concerns
- participating in planning and commissioning of adult services to ensure that safeguarding adults at risk is a primary consideration
- communicating within Kirklees the need to safeguard and promote the welfare of adults at risk and raise awareness of how this can be achieved
- working collaboratively with other strategic partnerships across Kirklees
- co-operating with neighbouring Adults Services authorities and their board partners
- co-operating with local Multi Agency Domestic Violence Arrangements (MARAC)
- co-operating with Local Multi-agency Public Protection Arrangements (MAPPAs)

## 5. Membership

**5.1** Board members are expected to operate at a very senior level within their own organisation.

**5.2** Board members will carry strategic and decision-making responsibility within their organisation and will be in a position to shape and influence the direction of safeguarding within Kirklees.

**5.3** Board members must be able to effect change where appropriate, and Board membership is therefore predicated on:

- A **commitment** to regularly attend and engage with safeguarding board meetings
- A **commitment** to send a nominated senior deputy in exceptional circumstances
- A **commitment** to give time to Board work outside of formal Board meetings where required, including periodic meetings with partners.
- A **commitment** to maintain and update their own personal knowledge of local and national safeguarding practice and challenges.
- A **commitment** to drive through the Boards agreed Shared Objectives as outlined in the Strategic Plan.

**5.2** Under the Care Act [schedule 2,1(1) it is a requirement that the core membership of local safeguarding adult boards includes representation from

- Local Authority (Kirklees Council)
- The Police (West Yorkshire Police)
- West Yorkshire Integrated Care Board (Kirklees Place)

**5.3** In addition membership is required from:

- Locala Community Partnerships CIC
- South West Yorkshire Partnership Foundation Trust
- Calderdale & Huddersfield NHS Foundation Trust
- The Mid Yorkshire Hospitals NHS Trust
- Kirklees Council Housing and Homelessness
- Kirklees Council Public Health
- West Yorkshire Fire & Rescue Service
- There will be lay membership on the Board
- Kirklees Healthwatch

**5.4** The following will be members in an advisory capacity:

- The Care Quality Commission
- Kirklees Council Legal Services
- Kirklees Council Safeguarding Partnership Manager

**5.5** Members will be required to sign a membership agreement and adhere to [The West Yorkshire Information Sharing Protocol](#)

## **6. Chair and Vice Chair**

**6.1** As the host agency the local authority, having fully consulted with the core members of its KSAB, must appoint as the chair a person whom the authority considers to have sufficient gravitas with the required skills and experience to undertake the role in an independent and even handed way. The chair will be appointed for a period of three years, renewable for one further period of three years.

**6.2** The vice chair shall be nominated and appointed by the KSAB.

**6.3** The vice chair shall be appointed for a period of three years, after which time the KSAB shall seek alternative nominations.

## **7. Arrangements**

**7.1** KSAB will meet quarterly. Additional meetings may be convened if required by the Chair.

**7.2** Agendas, minutes and reports will be circulated at least 5 working days prior to the meeting.

**7.3** Any member of the Board may submit items to be included on the agenda, supported by a written statement or report to Chair at least 10 working days before the meeting.

**7.4** Additionally and separately to the above schedule of Board meetings, there will be 1 half day partnership development meeting held per annum, organised by the Board and held with partner members

## **8. Quoracy**

**8.1** A quorum of the KSAB shall be five members representing four separate agencies of which two must be core members as defined in section 5.2 of this document always including the chair or vice chair. The lay member represents a single 'agency' for these purposes. If at any time the meeting is not quorate the meeting shall not proceed.

## **9. Responsibilities of Board Members**

**9.1** Board members will be senior leaders who will be able to:

- speak for their organisation
- commit the organisation to policy and practice matters
- develop and promote a culture embedded with 'Making Safeguarding Personal' values and principles
- hold their organisation to account.

**9.2** It is each member's responsibility and duty to contribute to steering the strategic direction of the Board and to ensure implementation of relevant legislation and procedures.

**9.3** The Board has a collective responsibility for co-ordinating and ensuring the effectiveness of what each of its members does.

## **10. Expectations of Kirklees Safeguarding Board Members**

**10.1** Board Members will:

- take a lead role for safeguarding adults within the representing agency and lead on work as required by the Board.
- co-operate in and contribute to the carrying out of a Safeguarding Adults Review.
- share the responsibility of ensuring that the Board's work programme is delivered.
- chair a task and finish group if required or identify a senior manager within their organisation who has the skill and abilities to chair such a meeting.
- ensure appropriate representation on the subgroups/task and finish groups/shared agenda workstreams as appropriate to their organisation.
- Follow the policy Framework for People in Positions of Trust as defined in regional guidance and develop the necessary operational guidance for their agency.
- act as a channel of communication between their agency and the Board.
- attend and support Kirklees Safeguarding Adults Board promotional and other events.
- contribute to and examine regular updates, data and analysis on individual agency and joint agency performance indicators.

## **11. Accountability**

**11.1** The Care Act requires Kirklees Council as the local authority to establish a Safeguarding Adults Board, and the independent chair of the board therefore reports to Chief Executive of the local authority.

**11.2** Kirklees Safeguarding Adults Board does however retain its own independent, separate and authoritative identity, and the Board's Strategic Plan, Action Plan and Annual Report are public facing documents, jointly agreed by the core membership.

**11.3** Kirklees Safeguarding Adults Board will endeavour to consult, engage and incorporate the views and knowledge of all our partner members

**11.4** The Board will seek overview assurance of the effectiveness of the safeguarding arrangements across Kirklees, however individual member and partner agencies are each separately responsible and accountable for their own practice and will have their own lines of organisational governance.

**11.5** Local commissioning, contractual and regulatory requirements may also require individual partner agencies to operate in line with the guidance and policy framework produced by the Board.

**11.6** Whilst the Board itself is not directly accountable for the operational performance of either individual core members or partner members, appropriate cross organisational challenge is an important part of the function of the Board. In the event that serious concerns are raised about the performance or practice of any member or partner agency, the Board may therefore seek assurance directly from the organisation concerned. The Board will form a view of the quality of safeguarding locally, challenge organisations when necessary and have an independent voice.

**11.7** The Safeguarding Adults Board will present a report to the Health and Wellbeing Board annually including the Board's annual report. The Board is also required to present an annual report to the Overview and Scrutiny Panel for Wellbeing and Communities. Presentations of these reports will also be taken through boards or equivalent governance arrangements for each partner agency.

## **12 Operating Arrangements**

**12.1** The Board will adopt the financial year April 1st to March 31st

**12.2** The Board will always seek to operate on a consensus basis. If it is not possible to reach a consensus, core statutory members will be required to undertake a formal vote on a simple majority basis which will be recorded. In the event of a tied vote the board chair will have the casting vote.

**12.3** In the case of fundamental or serious dispute between Board members, the Independent Chair and the Chief Executive of Kirklees Council will convene a joint meeting with the parties. If resolution can still not be reached, independent arbitration will be sourced.

**12.4** Section 45 of the Care Act puts a legal duty on persons to supply information to the Safeguard Adults Board where requested, on condition that such information enables or assists the Board to exercise its statutory functions.

## **13. Support Arrangements**

**13.1** The Board will receive support to carry out its function via the KSAB Partnership team.

**13.2** Kirklees Council Legal services are active members of the Board attending in an advisory capacity.

## **14. Finances and Resources**

**14.1** Core members of a KSAB listed in section 5.2 are responsible for the agency budget contribution to the KSAB and ensuring that the allocated agency resources, financial and human, are utilised to meet the board's objectives.

Other KSAB member agencies may contribute annually towards resources at an agreed level, having regard to the differing size, resources and responsibilities of each agency.

**14.2** Monies will be held and managed by Kirklees Council finance department on behalf of KSAB, but decisions on how monies are spent will be at the sole discretion of the Board.

**14.3** The Safeguarding Adults Board Service Manager will have the authority to act as the Board's budget holder for the authorisation of payments.

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

## **15. Structure**

**15.1** The Board's **Strategic Delivery Group (SDG)** oversees the Strategic Plan and annual work programme, lessons learned from Safeguarding Adults Reviews, and monitors and reviews Safeguarding Adults performance, providing direction and support to subgroups/ task and finish groups.

**15.2** The SDG is chaired by the Vice Chair of the Board giving sufficient responsibility and delegation to request further work to be completed as necessary before items are escalated to Board level.

**15.3** The KSAB has a number of subgroups or task and finish groups each with its own terms of reference which are reviewed on an annual basis. These will include:

- **Learning subgroup** – to meet quarterly in order to: collate data in order to create and submit the KSAB annual training plan as well as oversee it; commission learning and development activities to meet common needs and work jointly across key partnerships to develop and deliver activities covering cross-cutting themes.
- **Quality and Performance subgroup** – to meet quarterly in order to: carry out performance data analysis on safeguarding information; compile a 'performance dashboard'; provide a summarised account of information to the KSAB and make recommendations; establish an audit programme and determine how to hold partners to account and gain assurances.
- **Safeguarding Adults Review subgroup** - to meet every 6 weeks in order to: determine if a SAR should be undertaken; identify an appropriate methodology for the case; manage the SAR process; provide linkages with other types of review and share learning from national cases and reviews

**15.4** When required task and finish groups will be set up to deliver on specific priorities within the work programme. These task and finish groups will comprise of representatives nominated by board members who have sufficient knowledge and skills to contribute to the required task.

**15.5** Board partner agencies may also be asked to join new or established collaborative work-streams which focus on linked work agendas and cross-cutting themes between other key strategic partnerships.

**15.6** Horizon Scanning – The Board will keep abreast of emerging themes which may re-shape the work of the Board i.e. The Boards agreed shared objectives.

## **16 Reporting Arrangements**

**16.1** The Board will receive a written summary report from the Strategic Delivery Group at each Board meeting. This report will help inform the Board's overview picture of assurance and safeguarding activity across Kirklees.

**16.2** In addition, more detailed individual reports on specific priorities or on any other safeguarding related matters may be requested of relevant individuals or partner organisations by the Board and presented directly to Board.

**16.3** Informed by the above, the Board will publish an Annual Report on its activities, including an assessment of the effectiveness of local safeguarding arrangements across sectors, and the identification of key challenges going forward. The report will comment on the Board's progress in meeting the ambitions and shared objectives outlined in its Strategic Plan and will provide information about any SARs that have taken place in Kirklees, inclusive of any referrals that may lead to good learning outcomes that improve safeguarding arrangements.

**16.4** The Annual Report will be published in relation to the preceding financial year.

**16.5** Copies of the Board's Annual Report will be submitted to the following:

- Chief Executive Kirklees Council
- Kirklees Council Health & Social Care Scrutiny Committee
- The chair of the Health and Wellbeing Board

**16.6** The Annual Report will be a public document, available on the Board website for public scrutiny and comment.

## **17. The Safeguarding Adults Board Network Events**

Network Events take place three times per year and are open to all partners and aim to:

- act as an information exchange
- share learning and good practice
- consider relevant policy changes and national strategy development
- highlight local and national areas of concern
- comment on how procedures are working
- could act as virtual network/web-based discussion

## **18. Links to other Boards**

**18.1** KSAB recognises the importance of establishing close working links and protocols with other relevant partnerships and boards operating in Kirklees. This will include, amongst

others:

- The Health and Wellbeing Board
- The Kirklees Safeguarding Children Partnership
- Kirklees Community Safety Partnership

## **19. COMMUNICATIONS AND MEDIA ENGAGEMENT**

19.1. Where Board communications relate to a specific case or situation - for example the publication of a SAR, or some other high-profile matter – this will be discussed and agreed by Board members beforehand. In these circumstances the board chair and Corporate Director Adult Social Care and Health will sign off the final version of any media communications or statements issued on behalf of the board and any media enquiries relating to the work of the Board should be directed to the board chair.

19.2. Member and partner agencies remain individually and separately responsible for any communications or media statements they may issue in relation to their own work or activity around safeguarding as individual agencies

## **20. Review of constitution**

**20.1** The KSAB constitution will be reviewed every 3 years by the board or as required in accordance with statutory or regulatory provisions or other organisational changes that may require a change to the membership.