

# **Kirklees Safeguarding Adults Board Constitution**

## **September 2019**

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

**2.2** 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.

**2.3** This requires the Board to use the principles of 'Making Safeguarding Personal (MSP)' to develop and promote a culture based on these. MSP seeks to achieve:

- A personalised approach that enables safeguarding to be done with, not to, people;
- Practice that focuses on achieving meaningful improvement to people's circumstances rather than just on 'investigation' and 'conclusion';
- An approach that utilises appropriate professional skills rather than just 'putting people through a process';
- An approach that enables Safeguarding Boards, practitioners, families, teams and to know what difference has been made.

## **3. Objectives**

**3.1** It is the KSAB's responsibility, hosted by Kirklees Council, to assure itself that local safeguarding arrangements and partners act to help and protect adults in its area who meet the criteria set out at Care Act 2014 section 42.1.

**3.2** The core objectives of the KSAB are:

- To coordinate work by each person or body represented on the Board for the purpose of safeguarding and promoting the welfare of adults at risk in the area of the authority and to ensure the effectiveness of each of its members.
- To ensure work is undertaken by each person or body for that purpose.
- The KSAB may do anything which appears to it to be necessary or desirable for the purpose of achieving its objective.

## **4. Functions**

**4.1** The objectives of the KSAB will be pursued 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 (MAPPA)

## **5. Membership**

**5.1** The Board shall be composed of senior leaders with required skills, experience and responsibility nominated by each member agency. Members must have the sufficient delegated authority to effectively represent their agency and to make decisions on their agency's behalf. They must have access to those responsible for making the decision for which they do not have delegated authority. If members are unable to attend board meetings for any reason they may send a nominated representative of sufficient seniority subject to liaison with the independent chair of the board beforehand.

**5.2** The following core agencies must ensure appropriate membership:

- Kirklees Council
- West Yorkshire Police
- Greater Huddersfield Clinical Commissioning Group
- North Kirklees Clinical Commissioning Group

**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
- NHS England
- Kirklees Council Economy and Infrastructure - Street Scene & Housing
- West Yorkshire Fire & Rescue Service
- There will be lay membership on the Board

**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

**5.6** Membership will be reviewed every 3 years.

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

**6.1** As the host agency the local authority, having fully consulted with the other 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 every three months. Additional meetings may be convened if required by the Chair.

## **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 paragraph 5.2 always including the chair or vice chair. The lay member represents a single 'agency' for these purposes. If at any time there is not a quorum present, 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.
- ensure there is an equivalent forum in their own organisation

**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 sub group/task and finish group/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 Board will form a view of the quality of safeguarding locally, challenge organisations when necessary and have an independent voice.

**11.2** The Board will be consulted on issues that affect safeguarding and promoting the welfare of adults at risk.

**11.3** 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. Finances and Resources

**12.1** Core members of a KSAB listed in paragraph 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.

**12.2** The financial year will run from 1<sup>st</sup> April to the 31<sup>st</sup> March each year.

**12.3** Kirklees Council will administer the budget on behalf of the Board.

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

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

## 13. Structure

**13.1** A bi-monthly **Delivery Group** will be set up to oversee the Strategic Plan and annual work programme; implement lessons learned from Safeguarding Adults Reviews; monitoring and reviewing Safeguarding Adults performance and providing direction and support to subgroups/ task and finish groups.

**13.2** The Delivery group will be 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.

**13.3** The KSAB will set up a number of sub groups or task and finish groups each with its own terms of reference. These will include:

- **Learning sub group** (incorporating Mental Capacity and Deprivation of Liberty) – 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 sub group** (incorporating Mental Capacity and Deprivation of Liberty) – 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 sub group** - to meet every two months 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

**13.4** 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.

**13.5** 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.

## **14. The Safeguarding Adults Board and Dignity in Care Networks.**

This twice yearly forum is open to all partners and aims 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
- The network will meet twice a year

## **15. Review of constitution**

**15.1** 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.