

Birmingham Safeguarding Adults Board Guidance for conducting Safeguarding Adults Reviews

This guidance replaces the board's previous procedure for undertaking serious case reviews

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Glossary

CCG – Clinical Commissioning Group
CQC – Care Quality Commission
DHR – Domestic Homicide Review
GMC – General Medical Council
NMC – Nursing and Midwifery Council
SAB – Safeguarding Adults Board
SAR – Safeguarding Adults Review
SCR – Serious Case Review

1. Statutory requirements of the Care Act 2014

- 1.1. The Care Act 2014 requires each local Safeguarding Adults Board (SAB) to arrange a Safeguarding Adults Review (SAR) to be held in circumstances set out in Section 44 of the Act (**Appendix 1** of this document).
- 1.2. The following procedure has been produced by Birmingham Safeguarding Adults Board (BSAB) in order to ensure compliance with the Care Act 2014. It is informed by the accompanying statutory guidance to the Care Act, in particular paragraphs 14.133 to 14.149.

2. Criteria for conducting a Safeguarding Adults Review

- 2.1. BSAB will arrange a SAR when an adult in its area dies as a result of abuse or neglect, whether known or suspected, and there is concern that partner agencies could have worked more effectively to protect the adult.
- 2.2. BSAB will also arrange a SAR if an adult in its area has not died, but the board knows or suspects that the adult has experienced serious abuse or neglect and there is concern that partner agencies could have worked more effectively to protect the adult.
- 2.3. In the context of SARs, something can be considered serious abuse or neglect where, for example, the individual would have been likely to have died but for an intervention, or has suffered permanent harm or has reduced capacity or quality of life (whether because of physical or psychological effects) as a result of the abuse or neglect.
- 2.4. The adult who is the subject of any SAR need not have been in receipt of care and support services for BSAB to arrange a review in relation to them.
- 2.5. SABs are also free to arrange for a SAR in any other situations involving an adult in its area with needs for care and support, where important learning points may be apparent. BSAB will consider all such situations on a case by case basis.

3. The purpose of a Safeguarding Adults Review

- 3.1. A SAR seeks to determine what the relevant agencies and individuals involved in the case might have done differently that could have prevented harm or death. This is so that lessons can be learned from the case and those lessons applied to future cases to prevent similar harm occurring again.
- 3.2. The purpose of a SAR is not to hold any individual or organisation to account. Other processes exist for that, including criminal proceedings, disciplinary procedures, employment law and systems of service and professional regulation,

such as Care Quality Commission (CQC), Nursing and Midwifery Council (NMC), Health and Care Professions Council and General Medical Council (GMC).

- 3.3. It is vital, if individuals and organisations are to be able to learn lessons from the past, that SARs are seen to be trusted and safe experiences that encourage honesty, transparency and sharing of information, in order to obtain maximum benefit from them. If individuals and their organisations are fearful of SARs their response will be defensive and their participation guarded and partial.
- 3.4. BSAB is, therefore, committed to ensuring that SARs are undertaken for the clear purposes of driving positive change and improvement in practice, rather than as a punitive or accusatory process.

4. The Safeguarding Adults Review Coordinator

- 4.1. The responsibility for coordinating and responding to requests for SAR reviews in Birmingham lies with the SAR coordinator.
- 4.2. The SAR coordinator is appointed by BSAB for this purpose and reports to the board as required.
- 4.3. To support the delivery of SAR responsibilities, the SAR coordinator will establish a flexible network of representatives from partner agencies, operating as a virtual group.
- 4.4. The group will consider requests for SARs on a case by case basis and will meet as required to discuss or address any other relevant SAR related matters.

5. Referral of cases for a Safeguarding Adults Review

- 5.1. Any individual (including members of the public) may put forward a case for consideration for a SAR.
- 5.2. A staff member in a partner agency who believes a SAR is warranted should discuss their concerns in relation to the case in question within their organisation before submitting the request.
- 5.3. The SAR referral form is available on the BSAB website and is found in **Appendix 2** of this document.
- 5.4. A flowchart detailing the SAR referral process is available on the BSAB website and is found in **Appendix 3** of this document.

6. Consideration of referred cases

- 6.1. As per the referral flowchart, the SAR group will meet to establish whether any case that has been put forward for consideration meets the SAR threshold (see Section 2 of this process and **Appendix 1** of this document).
- 6.2. To be quorate, the SAR group making this decision must always contain at least one representative from the local authority, the police, and a local Clinical Commissioning Group (CCG) as statutory partners. The SAR coordinator will ensure other relevant partners are also invited to attend or contribute, depending on the nature of the case.
- 6.3. After consideration, the recommendation from the group will either be a) the case is dealt with as a SAR, or b) the criteria are not met and the issues are best addressed through other routes.
- 6.4. This recommendation will normally be made on the basis of a majority opinion. In the event of disagreement, the SAR coordinator will have the final say. However, any member of the group can take their concerns to the BSAB Chair in the event of fundamental dispute.
- 6.5. For every case referred for consideration, a written record of the rationale for the decision will be maintained, via SAR meeting minutes and the SAR referral database.
- 6.6. Where it is agreed by the group that a SAR should be undertaken, the SAR coordinator will seek final approval from the Chair of BSAB before commencing the SAR.
- 6.7. The individual and family, where appropriate, will be contacted to develop a good working culture in order to achieve the optimum learning outcome and hear the voice of the service user. Agreement will be sought from the individual or family member, where appropriate, before undertaking the SAR. If the individual lacks mental capacity, a decision will be made whether the SAR process is warranted in the wider interest of learning. There is a statutory duty under the Care Act 2014 to undertake a SAR where the criteria are met.
- 6.8. Disagreements on any part of the process will be discussed within the SAR group in the first instance, if they cannot be resolved concerns can be discussed with the Chair of BSAB, this will include:
 - Whether a SAR is undertaken or not
 - The outcome of the SAR
 - Concerns during the SAR process

A member of the public may make a complaint to the Local Government Ombudsman if dissatisfied with the response from the Chair of BSAB.

7. Conducting a Safeguarding Adults Review

- 7.1. The process for conducting a SAR will be determined according to the individual and specific circumstances of the case. No one model will be applicable for all cases.
- 7.2. Examples of possible methodologies are contained in **Appendix 4** of this document.
- 7.3. The SAR coordinator will make final decision on what is the most appropriate methodology, after consultation and discussion with partner agencies via the SAR group.
- 7.4. The approach taken to reviews should be *proportionate* according to the scale and level of complexity of the issues being examined.
- 7.5. Each review will normally be led by individuals who are independent of the case under review and of the organisations whose actions are being reviewed.
- 7.6. The focus and methodology of each review should be on what needs to happen to achieve understanding, to improve practice, and to provide answers for families and friends of adults who have died or have been seriously abused or neglected.
- 7.7. The SAR group will agree terms of reference for any SAR they arrange and these will be published and openly available on the BSAB website on www.bsab.org.
- 7.8. All information relating to the SAR will be shared confidentially and in line with the board's Information Sharing Protocol.
- 7.9. It is expected that those undertaking a SAR will have appropriate skills and experience which should include:
 - a. strong leadership and ability to motivate others;
 - b. expert facilitation skills and ability to handle multiple perspectives and potentially sensitive and complex group dynamics;
 - c. collaborative problem solving experience and knowledge of participative approaches;
 - d. good analytic skills and ability to manage qualitative data
 - e. safeguarding knowledge; and
 - f. inclined to promote an open, reflective learning culture.
- 7.10 There is a statutory duty for agencies as requested to cooperate in the SAR process. Where differences are experienced and cannot be resolved in a timely

manner, the SAR coordinator will formally escalate the issue to the Chair of BSAB for response/resolution.

- 7.11 Unless there are exceptional circumstances, the expectation is that all SARs are completed within six months of their initiation.

8. Family involvement

- 8.1. Early discussions will take place with family and friends (and the adult where this is possible) to agree how they wish to be involved.
- 8.2. The level of involvement of families will be flexible and will be dependent on the nature and circumstances of the case. However, the basic principle is that families should be actively seen as partners in the learning process wherever possible.
- 8.3. A named individual will be identified to act as the point of liaison with the family.
- 8.4. A leaflet explaining the SAR process to families is available on the BSAB website and is found as **Appendix 5** of this document.

9. Production and publication of Safeguarding Adults Review reports

- 9.1. An overview report of findings will be produced for every SAR that is undertaken.
- 9.2. The final draft version of this report will be approved by the SAR coordinator based on its meeting the following criteria:
- a. the report provides a sound analysis of what happened and why. The report will include an introduction, terms of reference, details of facts, analysis and specific and timely recommendations;
 - b. it is written in plain English;
 - c. it contains findings of practical value to organisations and to persons who have contact with adults who have care and support needs; and
 - d. it is as concise and focused as possible.
- 9.3. The final version of the report will then be presented for approval to the Chair of the BSAB.
- 9.4. Once ratified, an overview of the findings will be published on the BSAB website.

10. Acting on recommendations

- 10.1. The recommendations and action plans from each SAR will be monitored by the board.
- 10.2. How this is managed will be decided by the board on a case by case basis.
- 10.3. BSAB will include the findings from any SAR in its annual report and what actions it has taken, or intends to take in relation to those recommendations and findings.
- 10.4. If, for whatever reason, BSAB decides not to implement an action then it will state the reason for that decision in the annual report.

11. Links to other statutory review processes

- 11.1. There are separate requirements in statutory guidance for both a child Serious Case Review (SCR) and a Domestic Homicide Review (DHR).
- 11.2. These reviews may sometimes be relevant to a SAR (e.g. because they concern the same perpetrator or because they meet the criteria for more than one review). Where this is the case, consideration will be given to how SARs, DHRs and SCRs can be managed in parallel in the most effective manner possible.
- 11.3. In setting up a SAR the board, through the SAR coordinator, will therefore consider how the process can dovetail with any other relevant investigations that are running in parallel.
- 11.4. Any SAR will also need to take account of a coroner's inquiry and or any criminal investigation related to the case, including disclosure issues, to ensure that relevant information can be shared without incurring significant delay in the review process.
- 11.5. It will be the responsibility of the SAR coordinator to ensure contact is made with the Chair of any parallel process in order to minimise avoidable duplication.

References and bibliography

Care Act 2014.

Multi-Agency Policy and Procedures for the Protection of Adults with Care and Support Needs in the West Midlands.

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Appendix 1

Section 44 of the Care Act 2014: Safeguarding Adults Reviews

- (1)** An SAB must arrange for there to be a review of a case involving an adult in its area with needs for care and support (whether or not the local authority has been meeting any of those needs) if—
- (a) there is reasonable cause for concern about how the SAB, members of it or other persons with relevant functions worked together to safeguard the adult, and
 - (b) condition 1 or 2 is met.
- (2)** Condition 1 is met if—
- (a) the adult has died, and
 - (b) the SAB knows or suspects that the death resulted from abuse or neglect (whether or not it knew about or suspected the abuse or neglect before the adult died).
- (3)** Condition 2 is met if—
- (a) the adult is still alive, and
 - (b) the SAB knows or suspects that the adult has experienced serious abuse or neglect.
- (4)** An SAB may arrange for there to be a review of any other case involving an adult in its area with needs for care and support (whether or not the local authority has been meeting any of those needs).
- (5)** Each member of the SAB must co-operate in and contribute to the carrying out of a review under this section with a view to—
- (a) identifying the lessons to be learnt from the adult's case, and
 - (b) applying those lessons to future cases.

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Appendix 2

Referral to Birmingham Safeguarding Adults Board requesting a Safeguarding Adult Review

All requests will be assessed by the Safeguarding Adults Review group within 4 weeks. If the matter requires urgent attention, it will be sent directly to the BSAB Co-ordinator of the Safeguarding Adults Review group to consider in accordance with the agreed protocol and an extra ordinary meeting of the SARs group may be convened to consider the request.

Please send requests to the secure email address:

SCR.secure@birmingham.gcsx.gov.uk

This mailbox is monitored by nominated Officers of Birmingham City Council.

REFERRER:

Name	
Job title	
Organisation/agency	
Work address	
Telephone	
Fax	
Email	

CONCERNS:

ADULT AT RISK WITH CARE AND SUPPORT NEEDS:

A. ADULT AT RISK WITH CARE AND SUPPORT NEEDS	
Name	
Date of birth (dd/mm/yyyy)	
Address	
GP contact details	
Date of death (where applicable) (dd/mm/yyyy)	
Contact details of agencies/team(s) involved with adult at risk with care and support needs	
Details of representative/advocate/next of kin	
Is the adult at risk with care and support needs aware of this referral? (If applicable)	Yes: <input type="checkbox"/> No: <input type="checkbox"/>

REFERRAL REASON(S):

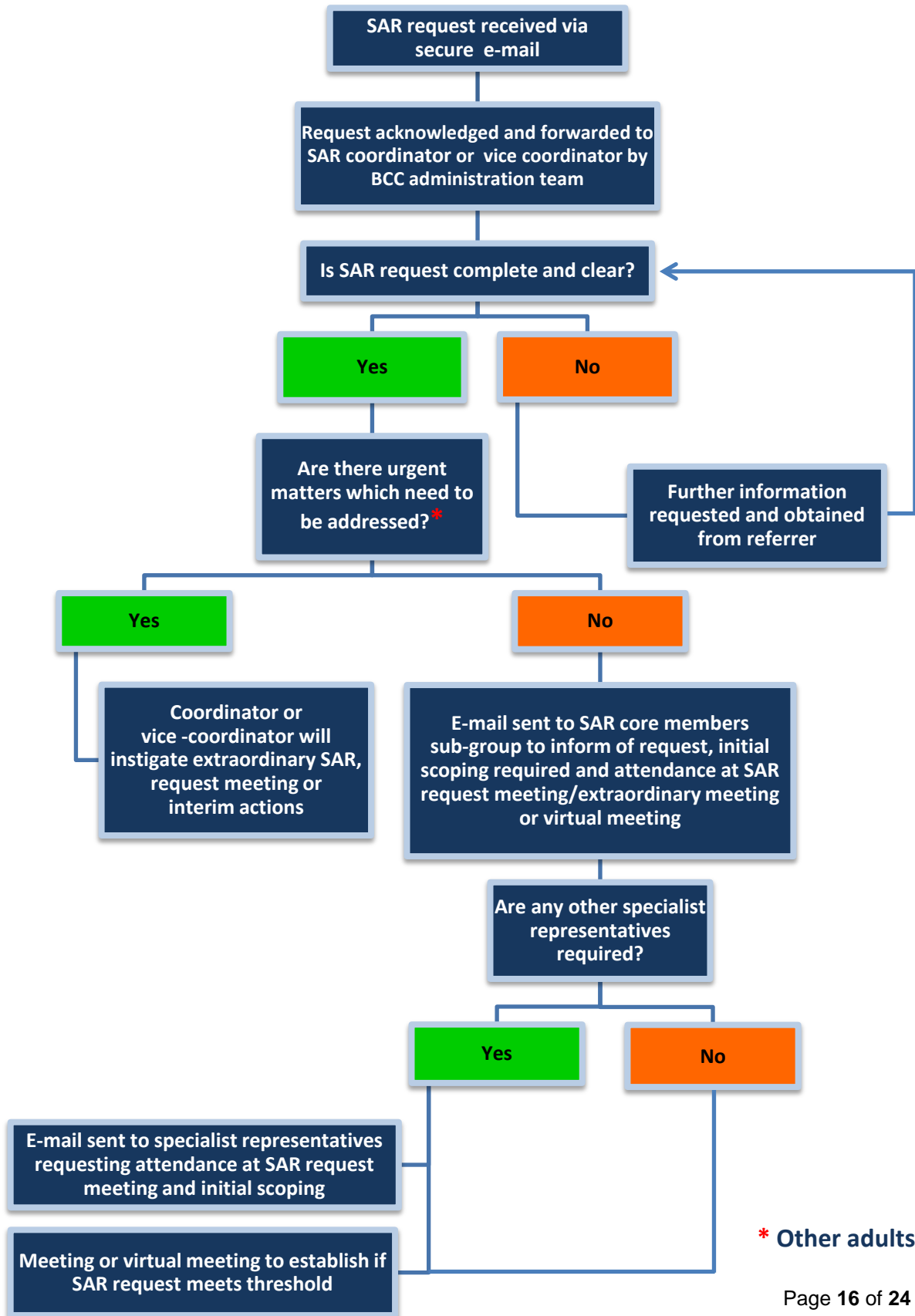
DETAILS OF INCIDENT	
<p>Please include how you feel this case meets the criteria for a Safeguarding Adults Review?</p> <p>Considerations are:</p> <p>(i) When an adult with care and support needs dies as a result of abuse or neglect, whether known or suspected, and there is concern that partner agencies could have worked together more effectively to protect the adult.</p> <p>OR</p> <p>(ii) When an adult with care and support needs has not died but has suffered permanent harm or has reduced capacity or quality of life as a result of the suspected abuse or neglect.</p>	
<p>Have you or any other agency undertaken any form of learning/incident review in relation to this case?</p> <p>(Please give details including recommendations, actions and actual/anticipated impact)</p>	
<p>Are there any other statutory processes in progress?</p> <p>(e.g.: Domestic Homicide Review, Mental Health Review, Child SCR)</p>	

Signature:	
Date:	

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Appendix 3

Safeguarding Adults Review referral process



* Other adults are at risk

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Appendix 4

Safeguarding Adult Review Model Options

Birmingham Safeguarding Adults Board (BSAB) is responsible for local Safeguarding Adult Reviews (SAR) and is committed to effective learning and improvement in practice as a result of serious or significant multi-agency incidents. BSAB, in line with the Care Act 2014, recognise that there are a range of model options to support how to fulfil those responsibilities. Following a SAR referral, the SAR sub-group will decide whether the case meets the SAR criteria or not and subsequently which model is appropriate for the individual circumstances.

The incident causation model chosen will be the most proportionate approach using relevant resources. If the criterion for a SAR is not met or option 2 (criteria for SAR met) is not chosen, this can be reviewed and altered to a full traditional review at any time if circumstances indicate.

Cases meeting the SAR criteria will be monitored by the SAR sub-group, including the action plan will then be fed back to BSAB. The method of feedback for cases not meeting the SAR criteria will be agreed by the SAR sub-group at the time of the decision of the model.

Safeguarding Adult Review (SAR) Model Options			
CRITERIA FOR SAR MET		CRITERIA FOR SAR <u>NOT</u> MET	
Option 1	<p>Table top review with root cause analysis (RCA) model from involved agencies are:</p> <ul style="list-style-type: none"> ➤ clear/complete ➤ identifying key learning ➤ identifying key actions ➤ assurance to BSAB on key learning and implementation of action plans ➤ Involving family where appropriate. 	Option 1	<p>Table top review style. All involved agencies have highlighted gaps, concerns, actions and learning:</p> <ul style="list-style-type: none"> ➤ consider family and next steps (meeting to share information and ascertain views/wishes/concerns) ➤ all involved agencies to assure BSAB regarding implementation of actions/key learning ➤ key learning/outcomes inform local and wider policies and procedures and training is disseminated.
Option 2	<p>Traditional full individual management review (IMR), analysis and action plan.</p>	Option 2	<p>One or more agencies need to undertake fuller review/analysis of their agency involvement/learning and assure BSAB. Feedback as per Option 1 (use own processes e.g. RCA, Serious Incident (SI) review or IMR template).</p> <p style="text-align: right;">Page 18 of 24</p>

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Safeguarding Adults Reviews

Information for families, friends and carers

Introduction

When an adult who needs care and support either dies or suffers serious harm, and when abuse or neglect is thought to have been a factor, Birmingham Safeguarding Adults Board (BSAB) may need to review what has happened. This is called a Safeguarding Adults Review or SAR for short.

These reviews are to see whether any lessons can be learned about the way organisations worked together to support and protect the person who suffered harm.

The people in charge of the review understand this is likely to be a very difficult time for families, friends and carers, but they want to learn as much as possible about how to do things better in the future.

The BSAB wants families and carers to be involved in the process as much as possible. They believe families, carers and the person who suffered harm should have the opportunity to discuss any concerns they may have and to share their thoughts and opinions.

This leaflet tells you what happens when a SAR is required to be undertaken, and what you should expect.

What is a Safeguarding Adults Review?

A Safeguarding Adults Review (SAR) is held to find out how organisations, families, friends, carers and care professionals can work together better to keep adults who need care and support safe from abuse or neglect.

A SAR is **not** an enquiry into the cause of an individual death or injury. It does not look for someone to blame and it is completely separate from any investigation being undertaken by the police or a coroner. The SAR concentrates instead on whether care professionals can learn anything from what happened.

How do we carry out a SAR?

There are different ways in which a SAR can be done, but they all involve gathering as much information from as many sources as possible. The review team can then try to work out exactly what happened, and why. They will consider whether things could or should have been done differently, and ask how things could be done better in the future. The findings are then summarised in a public written report, normally published by the BSAB. It is, therefore, a public document. However, no individuals are named in it and no information is included that could lead to the people involved being identified.

A SAR will often find there have been lots of agencies involved in the person's life. Sometimes the best way forward is to ask the people who were directly involved in the case to sit round a table together, and discuss face-to-face what happened. An independent chairperson, who had no involvement in the case, will help the discussion. A panel of other professionals will then consider whether we have found out what we needed to know, before the final report is written.

Another approach we sometimes take is to ask each agency to separately write their own detailed written reports about their involvement in the person's life. The panel of professionals then considers what these reports are telling us and an independent author writes a summary of events and lessons in the final written report.

The BSAB will choose the best approach. You will see a final report written by someone independent of the case, identifying what has been learnt, and what recommendations for change have been made.

Family, friends and carer involvement

A really important part of undertaking a SAR is to ask you, the family, for your opinion about what happened. Your views should be reflected in the final report. We will discuss with you how best to do this and make sure you are kept up-to-date.

Sometimes a SAR can take several months to complete, but we will update you regularly and explain the reasons for any delays.

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