Birmingham Safeguarding Adults Board

New Operating Framework Agreement 2018

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BIRMINGHAM SAFEGUARDING ADULTS BOARD

NEW OPERATING AGREEMENT

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“No decision about me without me!”
1. INTRODUCTION

1.1 The Care Act 2014 requires each Local Authority to establish a Safeguarding Adults Board for its area [s43 (1)].

1.2 The objective of any Safeguarding Adults Board (SAB) is to work to prevent help and protect adults with care and support needs from the risk or experience of abuse or neglect.

1.3 This Operating Framework Agreement outlines Birmingham Safeguarding Adults Board arrangements for the City of Birmingham.

2. OUR AMBITION FOR SAFEGUARDING

“People with care and support needs in Birmingham are able to live their lives free from harm because we have a City that does not tolerate abuse; the community works together to prevent abuse and people know what to do when abuse happens”.

➢ We will ensure that, wherever possible, safeguarding responsibilities across the city are delivered in a way that empowers the community and its individual citizens, that supports defensible decision making and risk enablement.

➢ A city free from harm and neglect, of our most vulnerable citizens will always be an ultimate aim and the Birmingham Safeguarding Board is working hard with all of our Partners towards this goal. In 2018-19 we will focus our energy on empowering our communities and citizens.

➢ Our focus is on developing effective preventative and early intervention strategies that minimize the risk of abuse and neglect occurring, by working to establish safer communities for people with care and support needs. To enable this, we will also support the work of the West Midlands Combined Authority on region wide awareness of the impact of early traumatic experiences.

➢ This will include areas such as unregulated housing, transition from children to adults’ services, domestic abuse and the impact of social isolation.

3. STATEMENT OF PURPOSE

3.1 Birmingham Safeguarding Adults Board (BSAB) is a Multi-Partner Board that will work to create an innovative, dynamic and collaborative adult safeguarding culture.

3.2 The Board will maintain oversight of safeguarding arrangements in the city, ensuring these arrangements meet the needs of the people of Birmingham and are fully reflective of the voice of the community.

3.3 The Board will support promote and monitor the effectiveness of the work undertaken by partner members across the City.

3.4 The Board will create an environment where safeguarding is everybody’s business and work to enable organisations and its partner members to embed Risk Enablement and Making Safeguarding Principles in their everyday practice.
4. CORE FUNCTIONS

4.1 The duties of the Board are set out in section 43 of the Care Act and in Chapter 14 of the Care Act Statutory Guidance, issued under s78 of the Care Act 2014.

4.2 As fundamental core duties the Board is required to:

- Publish a **Strategic Business Plan** for each financial year detailing how it will meet its main objective and what Members will do to achieve this.
- Publish an **Annual Report** detailing what the Board has done during the year to achieve its objectives and to implement its Strategic Plan.
- Conduct any **Safeguarding Adults Reviews** in accordance with s44 of the Care Act 2014 and report on the findings of such reviews in the Annual Report.

5. Board Membership

5.1 Under the Care Act, it is a requirement that the membership of local safeguarding adult boards includes representation from the local authority, the local CCG, and the Police [schedule 2, 1(1)].

5.2 The core membership structure of BSAB is therefore based on this requirement and is outlined as an appendix to this document. **Appendix A**

5.3 Other parties may be invited to attend Board where statutory members and the Chair agree it is appropriate and beneficial to do so.

6. EXPECTATIONS OF BOARD MEMBERS

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

6.2 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 the city.

6.3 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 Strategy Plan and Action.
7. PARTNER MEMBERS

7.1 In order to effectively deliver the city's safeguarding vision effectively, the Board recognises that a broad range of partners must work together to support drive forward and inform the work of the Board, through its Strategy Plan, decisions and positive actions.

7.2 This approach will be underpinned via a formal Memorandum of Understanding between the Board and Partner Agencies, attached as an appendix to this document Appendix C

7.3 A list of partners who have formally committed to support the work of the Board in this way will be maintained on the Board website.

8. BOARD CHAIR AND VICE CHAIR

8.1 An independent board chair must be appointed by the Local Authority in the name of the BSAB, the Local Authority having first consulted all statutory board members as part of the appointment process.

8.2 The chair's role description is attached as an Appendix D to this document.

8.3 The vice Chair's role description is attached as an Appendix E to this document.

9. ACCOUNTABILITY

9.1 The Care Act requires Birmingham City Council as the local authority to establish a Safeguarding Adults Board, and the independent chair of the board therefore reports to Corporate Director Adult Social Care and Health in the local authority.

9.2 Birmingham Safeguarding Adults Board does however retain its own independent, separate and authoritative identity, and the Board's Strategy Plan, Action Plan and annual report are public facing documents, jointly agreed by the core membership.

9.3 Birmingham Safeguarding Adults Board will endeavour to consult, engage and engage and incorporate the views and knowledge of all our partner members

9.4 The Board will seek overview assurance on the city wide effectiveness of the safeguarding arrangements in the city, 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.

9.5 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.

9.6 Whilst the Board itself is not directly accountable for the operational performance of either individual core member or partner member, 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.

**10. FREQUENCY AND DURATION OF MEETINGS.**

10.1 The Board will hold 5 meetings a year and a ½ Away Day with meetings lasting no longer than 3 hours duration.

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

10.3 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.

10.4 Additionally and separately to the above schedule of Board meetings, there will be at least 5 half day partnership meetings held per annum, organised by the Board and held with partner members.

**11. QUORUM**

11.1 The Board will be considered quorate if, in addition to the Board chair, at least one representative is present from each of the following statutory agencies:

- Birmingham Local Authority,
- One of the Clinical Commissioning Groups (CCGs) in Birmingham
- West Midlands Police.

**12. SUPPORT ARRANGEMENTS**

12.1 The Board will receive support to carry out its function via one full time equivalent Board Business Manager, one full time equivalent Board Project Officer and one full time equivalent Professional Support Administrator funded and employed by the Local Authority.

**13. FINANCIAL CONTRIBUTIONS**

13.1 Board funding is dependent on individual agencies resourcing the work it carries out. Individual contributions will be agreed by core statutory members of the Board and then managed in a pooled fund.

13.2 Monies will be held and managed by Birmingham City Council finance department on behalf of BSAB, but decisions on how monies are spent will be at the sole discretion of the Board.

13.3 Invoice for annual contribution will be raised by Birmingham City Council and should paid within 28 days of invoice date.
14. STRATEGY PLAN

14.1 The Board will produce a Strategy Plan and Action Plan which will be formally reviewed on an annual basis and updated and amended as required.

14.2 The Strategy will identify key priorities and strategic ambitions for safeguarding in Birmingham.

14.3 The Strategy Plan will be informed by input from partners and by consultation with the local community.

14.4 The Strategy Plan will be a public facing document, published on the board website.

14.5 Board meetings will assess the effectiveness of the Strategy Plan in improving outcomes for adults and on gathering assurance that safeguarding arrangements in the city are robust.

15. RISK REGISTER

15.1 In addition to the Strategy Plan, the Board will maintain a Risk Register which will include mitigating actions taken in response to identified risks.

15.2 The Risk Register will be kept under quarterly review and will inform the Board's Strategy Plan.

15.3 All Board members have a responsibility to ensure the Risk Register accurately reflects key safeguarding challenges for the Board.

16. OPERATING ARRANGEMENTS

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

16.2 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.

16.3 In the case of fundamental or serious dispute between Board members, the Independent Chair and the Corporate Director Adult Social Care and Health will convene a joint meeting with the parties. If resolution can still not be reached, independent arbitration will be sourced.

16.4 The Board may delegate oversight of the delivery of key priority areas contained within its Strategy Plan to the Scrutiny & Governance Committee. The terms of reference for the Scrutiny & Governance Committee are attached as an appendix to this document, along with a role description for the committee chair, and members. Appendix F.
16.5 Responsibility for the oversight of Safeguarding Adults Reviews (SARs) will be delegated to a named individual who will co-ordinate arrangements for oversight and delivery of this function. A role description for the SAR Chair is included as an appendix to this document. 

Appendix G

17. REPORTING ARRANGEMENTS

17.1 The Board will receive a written summary report from the Scrutiny & Governance Committee at each Board meeting. This report will help inform the board’s overview picture of assurance and safeguarding activity across the city.

17.2 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.

17.3 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 priorities outlined in its Strategy Plan and will provide information about any SARs that have taken place in the city, inclusive of any referrals that may lead to good learning outcomes that improve safeguarding the city.

17.4 The Annual Report will be published in relation to the preceding financial year and will where possible align with local planning, commissioning and budget cycles.

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

- Corporate Director Adult Social Care and Health
- Birmingham City Council Health & Social Care Scrutiny Committee
- West Midlands Police Chief Constable
- The Chief Executive of the Local Authority
- The Police and Crime Commissioner and the Chief Constable
- Birmingham Healthwatch
- The chair of the Health and Wellbeing Board
- The chairs of local Clinical Commissioning Groups
- The chair of the Birmingham Community Safety Partnership

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

18. INFORMATION SHARING

18.1 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.

18.2 BSAB's Information Sharing Protocol is publicly available on the Board website

18.3 The Information Sharing Protocol will be reviewed yearly or as required.
19. LEGAL ADVICE

19.1 BSAB does not maintain an independent source of legal advice. Where appropriate, Board members are therefore separately responsible for taking legal advice via their normal organisational pathways in order to inform their organisation's contribution to the work of the Board.

20. LINKS TO OTHER BOARDS.

20.1 BSAB recognises the importance of establishing close working links and protocols with other relevant partnerships and boards operating in the city. This will include, amongst others:

- The Health and Wellbeing Board
- The Safeguarding Children Board
- Birmingham Community Safety Partnership
- The Birmingham Housing Board
- Birmingham City Board

21. REVIEW OF OPERATING FRAMEWORK AGREEMENT

21.1 This Operating Framework Agreement will be reviewed yearly.

22. COMMUNICATIONS AND MEDIA ENGAGEMENT

22.1 Key public messages about safeguarding arrangements in Birmingham will be agreed by Board members as part of the Board's overall communication strategy.

22.2 Where Board communications relate to a specific case or situation - for example the publication of a SAR, the undertaking of a large scale investigation, 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.

22.3 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.
SIGNATORIES:

On behalf of Birmingham Local Authority:

Graeme Betts
Corporate Director Adult Social Care and Health.
Date: 24/09/2018

SAB Chair

Independent Chair – Cherry Dale
Birmingham Safeguarding Adults Board
Date: 24/09/2018

On Behalf of West Midlands Police:

Kenny Bell
Commander
Birmingham East Neighbourhood Policing Unit,
West Midlands Police
Date: 24/09/2018

On behalf of the
Birmingham and Solihull Clinical Commissioning Group

Martin Fahy
Date: 30/11/2018

This operating framework to be reviewed April 2019
Appendix A:

BSAB Board Model

THE BOARD

THE BOARD
Independent Chair
Healthwatch Birmingham Representative
Local Authority Lead Commissioner
Local Authority Social Work Lead
Local Authority Head of Safeguarding
Birmingham and Solihull CCG
Sandwell & West Birmingham CCG
Health Chief Nurse Representative
West Midlands Police
West Midlands Fire Service
Forward Carers - CEO

5 Board meetings a year

Key responsibilities:
☐ To publish a Strategic Plan
☐ To publish an Annual Report
☐ To ensure SARs are undertaken
☐ To maintain overview assurance

PARTNER AGENCIES

NHS Providers
Third Sector providers
Voluntary, community and social enterprises
Probation
Healthwatch
West Midlands Ambulance
Care Quality Commission
Housing Providers
Dept. of Works & Pensions
Further Education/Universities
Carer groups
User groups
Trading Standards
Prisons
Advocacy Groups

5 partnership meetings a year
(Not an exhaustive list)

Ongoing exchange of perspectives and information

STRATEGY PLAN

City wide priorities are identified by the Board in its Strategy Plan, informed by input from all partner members and community consultation.

SCRUTINY & GOVERNANCE COMMITTEE

A mix of statutory member organisations and partner members

8 meetings per year

Key responsibilities:
➢ To identify relevant areas for scrutiny, as directed or informed by
   a) Board
   b) partnership meetings and
   c) other relevant sources
➢ To commission reports from best placed individuals or organisations
➢ To analyse reports, identify risks and strengths, update Board on key findings, make recommendations to Board, and assess progress against delivery of the strategy Plan.

SAR CHAIR

Appointed by the Board

Key responsibility:
• To lead and oversee arrangements for management of SAR requests in the city, involving relevant agencies and partners as appropriate in line with Care Act requirements.
Appendix C

MEMORANDUM OF UNDERSTANDING

BIRMINGHAM SAFEGUARDING ADULTS BOARD

Memorandum of Understanding
between Partner Agencies and the Board.

The introduction of the Care Act 2014 places adult safeguarding on a statutory footing. Birmingham Safeguarding Adults Board (BSAB) welcomes the statutory alignment of this area of practice for the citizens of Birmingham.

BSAB is tasked with maintaining oversight of the safeguarding arrangements in the city. We are required to provide assurance to the citizens of Birmingham that agencies and organisations across the city are working together to enable adults with care and support needs to live a life that is free from abuse and neglect. This is a fundamental human right.

To maintain a manageable structure, the Board itself is formed primarily of representatives who have a statutory duty to be present. However the Board is under no illusion that for safeguarding arrangements to be delivered effectively across the city a far broader range of organisations must work together in partnership, in order to both inform the work of the Board and to deliver a shared vision. To effect change, safeguarding must be genuinely owned as ‘everybody’s business’ and not the preserve of specialists or only a few key organisations.

We therefore invite organisations across the city to support the work of the safeguarding Board by formally signing up as ‘partner members to this Memorandum of Understanding. Birmingham Safeguarding Adults Board will then lead, support and be informed by the work of partner members across the city.

Working together with partner agencies we aim to ensure that adults with care and support needs are protected, on their own terms, from the risk of abuse or neglect following the principles of ‘Making Safeguarding Personal (MSP). There is no one single way of doing this. A flexible approach to safeguarding, recognising the many and varied settings and circumstances in which adults with care and support needs live, is vital.

As a Board we are committed to working in a way that retains and promotes adult independence, wellbeing and choice. BSAB fully embraces the Making Safeguarding Personal (MSP) agenda and the six safeguarding principles of Empowerment, Prevention, Protection, Partnership, Accountability and Proportionality. We are committed to listening to the voice of the people of Birmingham and to delivering safeguarding in a way that meets the needs of the community, based on what the community tells us.

BSAB will produce a Strategy Plan for safeguarding and will report annually on progress to the public, as well as ensuring other statutory responsibilities for safeguarding are discharged, including the way concerns and enquiries are managed, and how Safeguarding Adults Reviews are undertaken.

To support this work, signed up partner members will commit themselves to providing senior level representation at 5 Board led meetings each year, each meeting themed around information exchange, sharing of best practice, sharing of perspectives, and open dialogue.
between partner agencies and the board. Partner agencies will also commit themselves to contributing to the delivery of the priorities contained within the Board’s Strategy Plan.

In this way we hope to ensure that a diverse range of organisations across the city not only inform the work of the Board, but also help to actively shape and deliver change and best practice.

BSAB therefore invites Chief Executives (or other suitable organisational leads) to make the following commitment on behalf of their organisation as a partner member.

*By signing this memorandum of understanding we give an organisational commitment as a partner agency to Birmingham Safeguarding Adults Board to:*

- Promote awareness of adult safeguarding within and across our organisation
- Work to the 6 adult safeguarding principles when dealing with adults who have care and support needs.
- Support and raise awareness of the ‘Making Safeguarding Personal’ agenda
- Act in accordance with Birmingham’s local safeguarding guidelines for practice when identifying and responding to concerns around abuse or neglect
- Wherever possible, to capture the voice, opinions and experiences of the citizens of Birmingham and the people who use our service, in order to inform the work and priorities of the Board.
- To challenge, where appropriate, the status quo on behalf of the citizens we work with.
- To provide senior level organisational representation at 5 partnership meetings facilitated by BSAB each year.
- To use our voice to contribute to the development of the Board’s Strategy Plan
- To play our part in supporting and contributing to the delivery of relevant work streams contained within the Strategy Plan
- To work in partnership with fellow organisation to prevent harm and neglect and protect our most vulnerable citizens
- To adopt the essential steps of Making Safeguarding Personal as outlined in LGA ADASS document titled ‘Making Safeguarding Personal – for Safeguarding Adults Boards’
- To provide a year end public statement of how safeguarding responsibilities have been delivered within our own organisation which will be published on the BSAB website at [www.bsab.org](http://www.bsab.org).
Appendix D:

ROLE DESCRIPTION - BOARD INDEPENDENT CHAIR

MAIN PURPOSE:

To ensure the Board meets its statutory requirement to deliver on producing a

☐ Strategy Plan,
☐ Annual Report,
☐ Safeguarding Adult Reviews as required

ACCOUNTABILITY:

➢ The contract holder will be accountable to the Corporate Director Adult Social Care and Health.

RESPONSIBILITIES:

➢ To ensure the Board meets its statutory requirement to deliver on producing a

☐ Strategy Plan,
☐ Annual Report,
☐ Safeguarding Adult Reviews as required

➢ To chair 5 meetings of Birmingham Safeguarding Adults Board and support as required the 5 partnership meetings
➢ To agree an agenda and minutes for distribution to partners and for distribution and sharing on the Board website.
➢ To chair or attend extraordinary meetings of BSAB, e.g. presentation of findings and recommendations of Safeguarding Adults Reviews.
➢ To ensure effective collective working between Birmingham Partner members, providing challenge and scrutiny and to support resolution.
➢ To ensure safeguarding and promoting the welfare of adults at risk of harm with care and support needs is embedded in all the relevant policies, procedures and planning processes of Birmingham and its partner agencies.
➢ To ensure that the needs of adults at risk of harm with care and support needs are addressed in accordance with the equality and diversity policies.
➢ To provide the “public face” of BSAB and to develop relationships with the press and media and to respectfully respond to relevant media requests for comment, in association with Birmingham City Council and other partner agencies' media and communications teams.
➢ To represent BSAB at national and regional meetings as agreed by Birmingham members.
➢ To meet formally with the Corporate Director Adult Social Care and Health at least twice a year to review the efficacy of BSAB.
➢ To meet as required with the Birmingham City Council Lead member for the Safeguarding of Adults in Birmingham
➢ To meet as required with the Birmingham City Council Chief Executive Officers as required regarding the Safeguarding of Adults in Birmingham
➢ To meet with the Vice Chair, Board Business Manager and other safeguarding leads as required at quarterly intervals to review the progress of the BSAB Strategy Plan and share reviews and outcomes wider as required.
➢ To ensure that BSAB Strategy Plan is prepared timely and implemented.
➢ To decide on the need for a Safeguarding Adult Review (SAR), following the recommendation of the SAR chair, and to ensure the process is undertaken in line with current guidance and processes.
➢ Promote a corporate Board responsibility as well as accountability for effective citywide safeguarding policy and practice; inclusive of fostering good links and good working relationships with amongst others:
  - The Health and Wellbeing Board
  - The Birmingham Safeguarding Children’s Board
  - Birmingham Community Safety Partnership

➢ To respond appropriately to correspondence sent to the Chair relating to multi agency safeguarding issues.
➢ To take responsibility for own personal development
➢ To participate fully in the review and evaluation of Chair’s role and responsibilities.
➢ Demonstrate understanding of and commitment to:
  - Safeguarding Principles
  - Good Governance Principles
  - Nolan Principles
  - Partnership Principles

**Special Conditions**   Disclosing and Barring Service (DBS) certificate as required
Appendix E

ROLE DESCRIPTION - BOARD VICE CHAIR

MAIN PURPOSE

To support the Board Chair in ensuring the Board meets its statutory requirement to deliver on producing a

- Strategy Plan,
- Annual Report,
- Safeguarding Adult Reviews as required

- To support the function of the SAB Chair and the Board, in the agreed duties and priorities from the Strategy Plan.
- To support the focussed leadership and strategic vision to the safeguarding adults agenda across Birmingham.
- To support the Board having objectivity and an authoritative identity.
- Support Board effectiveness and promote constructive relations between BSAB members in successfully delivering its Strategy Plan priorities.
- To support the chair in ensuring BSAB meets its statutory responsibilities in line with the Care Act 2014.
- To support the chair in ensuring BSAB complies with any new or changing legislative requirements for Safeguarding Adults Boards (SABs).

ACCOUNTABILITY

The vice chair will be report to the Independent Chair of Birmingham Safeguarding Adults Board and as required to the Corporate Director Adult Social Care and Health

KEY RESPONSIBILITIES

- The vice chair has a key supportive Board leadership and strategic role.
- To lead on the development of the Board’s Strategy Plan and ensure that the plan maintains a clear focus.
- To provide focussed leadership and provide strategic vision for the safeguarding adults agenda across Birmingham
- To support the effective function of the Scrutiny and Governance Committee.
- To ensure that the needs of adults at risk with care and support needs are addressed in accordance with equality and diversity policies.
- To contribute to the completion of a yearly Annual Report of BSAB activity against the Action Plan priorities.
- Ensure the Board works collaborative and effectively by encouraging and supporting the development of partnership working between the Board, the Scrutiny and Governance Committee, partner agencies, and the citizens of Birmingham.
- To promote the Board’s ability to fulfil Care Act 2014 compliance by monitoring, challenging and scrutinising the effectiveness of inter-agency adult safeguarding work.
- To ensure the Board promotes an awareness of safeguarding adults at risk of harm with care and support needs in Birmingham and that the voices of adults at risk and their Carers are fairly represented on the Board and within work on the priorities.
- As required to act as a public representative for the Board, in consultation with the Chair of the Board and relevant Board members for any media communications.
➢ As required, represent Birmingham Safeguarding Adults Board at national and regional meetings as agreed by the Chair and statutory Board members.
➢ Promote a corporate Board responsibility as well as accountability for effective citywide safeguarding policy and practice; inclusive of fostering good links with amongst others:
  ☐ The Health and Wellbeing Board
  ☐ The Safeguarding Children Board
  ☐ Birmingham Community Safety Partnership

➢ Liaise with the appropriate managers to ensure the timely and effective management of Board business within agreed budgets.
➢ Demonstrate understanding of and commitment to:
  ❖ Safeguarding Principles
  ❖ Good Governance Principles
  ❖ Nolan Principles
  ❖ Partnership Principles

**Special Conditions**   Disclosing and Barring Service (DBS) certificate as required
Appendix F

ROLE DESCRIPTION – SCRUTINY & GOVERNANCE COMMITTEE CHAIR

TERMS OF REFERENCE - SCRUTINY & GOVERNANCE COMMITTEE

To provide scrutiny, challenge and oversight on a range of issues relating to Birmingham’s safeguarding agenda, reporting to the Board on key findings and making recommendations for action as required.

RESPONSIBILITIES

➢ To identify key themed areas for oversight, scrutiny or attention. The Board may delegate oversight of the delivery of key priority areas contained within its Strategy Plan to the Scrutiny & Governance Committee.
➢ The Board will receive a written summary report from the Scrutiny & Governance Committee at each Board meeting, including progress against delivery of the strategic plan. This report will inform the board’s overview picture of assurance and safeguarding activity across the city.
➢ To highlight any gaps, weaknesses, risks or challenges in order that the Board’s risk register is reflective of the current issues presenting.
➢ To make recommendations to the Board in relation to the committee’s findings, actions being taken or planned by the committee, and any actions where the Board should consider further enquiry or where action at a strategic level is required.
➢ To formally commission reports (as per s45 of the Care Act 2014) from partner agencies to ensure that the Board’s safeguarding agenda is being met.
➢ To receive and analyse reports presented to the committee, against the priorities and ambitions identified within the board’s strategic plan, identifying areas for action by or through the committee or where escalation to the Board is required.
➢ To identify and action areas of safeguarding activity or practice that the committee becomes aware of and where the committee considers that fuller detail, enquiry or scrutiny is required.
➢ To highlight any examples of best practice for dissemination to all partner agencies and reporting to the Board as required.
➢ To use partnership channels effectively, outside of the meeting, to support delivery of the strategic plan.
➢ To record minutes of committee meetings and distribute to committee members and other relevant partner agencies as required.

GOVERNANCE ARRANGEMENTS

➢ The Scrutiny & Governance Committee will be directly accountable to Birmingham Safeguarding Adults Board and will operate on such terms as the Board directs.
➢ The 12-monthly schedule of reporting will be informed by:
   (a) the requirements of the Board
   (b) the outcome of partnership meetings
   (c) input from other relevant individuals or agencies.
The chair of the Scrutiny & Governance Committee, in conjunction with the Board, will have the final decision on the areas for scrutiny.

MEMBERSHIP

- The Chair and Vice Chair of the Scrutiny & Governance Committee will be appointed by the Board.
- The Chair (and/or vice chair) will thereafter attend and report at Board meetings as required by the Board.
- The position of Chair and Vice Chair will be reviewed on at least a 3-yearly basis by the Board.
- The role of the Scrutiny & Governance Committee is fundamentally one of assurance: members therefore need to be individuals with the correct level of knowledge and influence to drive business forward, provide strategic analysis, and to effectively scrutinise the delivery of a variety of safeguarding work streams.
- Membership will be geared to ensure there is a broad, but workable range of informed perspectives from a variety of agencies, including, but not limited to representatives from Birmingham Local Authority, Clinical Commissioning Group (CCG) in Birmingham and West Midlands Police together with co-opted members, such as health organisations, fire service and third sector organisations.

FREQUENCY OF MEETINGS

- The Scrutiny and Governance Committee will meet 8 times a year

QUORACY

- The committee is quorate where representatives from at least 2 of the 3 statutory agencies (Local Authority, CCG and Police) are present, plus at least other one representative from a signed partner agency to the Board.

SUPPORT AND CO-ORDINATION

- The Local Authority will provide administrative and business support via the Safeguarding Board business support team; this will include managing the advance schedule of reports, arranging venues, coordinating the meetings, including minute taking, and the distribution of agendas, reports and minutes.

Reports to the Scrutiny & Governance Committee are requested as per the Care Act 2014:

s45 - Supply of information

(1) If an SAB requests a person to supply information to it, or to some other person specified in the request, the person to whom the request is made must comply with the request if—

(a) conditions 1 and 2 are met, and

(b) condition 3 or 4 is met.

(2) Condition 1 is that the request is made for the purpose of enabling or assisting the SAB to exercise its functions.
(3) Condition 2 is that the request is made to a person whose functions or activities the SAB considers to be such that the person is likely to have information relevant to the exercise of a function by the SAB.

(4) Condition 3 is that the information relates to—

(a) the person to whom the request is made,

(b) a function or activity of that person, or

(c) a person in respect of whom that person exercises a function or engages in an activity.

(5) Condition 4 is that the information —

(a) is information requested by the SAB from a person to whom information was supplied in compliance with another request under this section, and

(b) is the same as, or is derived from, information so supplied.

(6) Information may be used by the SAB, or other person to whom it is supplied under subsection (1), only for the purpose of enabling or assisting the SAB to exercise its functions.
Appendix G

ROLE DESCRIPTION - SAFEGUARDING ADULT REVIEW CHAIR

AIMS OF THE SAFEGUARDING ADULTS REVIEW (SAR) GROUP

To co-ordinate and oversee the Safeguarding Adult Review (SAR) processes in Birmingham, in line with Care Act 2014 compliances and as directed by the Board. This will include ensuring there are effective structures in place to screen for potential cases and ensuring that flexible but effective methodologies are used when a Safeguarding Adult Review (SAR) needs to be carried out.

RESPONSIBILITIES

- The SAR Chair will submit a written summary report from the Safeguarding Adults Review Group at each Board meeting, including progress against delivery of the strategy plan as relevant to business. This report will inform the board’s overview picture of SARs which are or have been carried out across the city.
- The SAR Chair will ensure there is a clear pathway in place for partner agencies to raise concerns which may potentially require a SAR.
- The SAR Chair will establish effective systems to screen and triage potential cases, against clear criteria, with input from relevant partner agencies and individuals as required.
- The SAR Chair will ensure a full record is taken of the decision-making process when cases have been put forward for consideration.
- The SAR Chair will ensure all relevant data referring to received cases are sent to the SARs Library which is the national repository.
- Where a SAR is required to be undertaken, the SAR Chair will ensure that an appropriate and proportionate methodology is used.
- The SAR Chair will ensure clear terms of reference are drawn up for each SAR and seek sign off from the BSAB Chair.
- The SAR Chair will ensure the correct agencies are involved in contributing to each SAR process.
- The SAR Chair with members will identify a suitable lead individual to manage and oversee the practical running of each SAR process. The person identified to lead on each SAR must be independent of the case being scrutinised and should declare any personal or agency involvement before proceeding.
- The SAR chair to agree that the person leading on each SAR process is suitably briefed and competent to carry out their role, and that they maintain regular communication on progress with the SAR Chair.
- BSAB Business Manager and BSAB Project Officer to ensure unnecessary delays do not hinder the SAR process and that timescales are prompt.
- The SAR Chair and BSAB Business Manager to quality assure final overview reports and recommendations.
- BSAB Business Manager to report in writing to the Board on any SARs that are being undertaken, and on any matters relating to the SAR process in general.
- The SAR sub group will promote an open, reflective learning culture.
- The SAR Chair and members will support the Board and the BSAB Chair to disseminate effectively any agreed lessons learnt from outcomes and findings from any cases reviewed.
The SAR Chair and BSAB Business Manager to ensure any media communications or briefings relating to SAR cases are directed via the Board chair

**GOVERNANCE ARRANGEMENTS**

The SAR Chair will be directly accountable to Birmingham Safeguarding Adults Board and will operate on such terms as the Board directs.

- The Chair of the Safeguarding Adults Review Group will be appointed by the Board.
- The Chair will thereafter attend and report at Board meetings as required by the Board.
- The position of SAR Chair and or vice chair will be reviewed on at least a 3-yearly basis by the Board.
- The role of the Safeguarding Adults Review Group is fundamentally one of ensuring that there are effective structures in place to screen for potential cases and effective methodologies are used in carrying out reviews: members therefore need to be individuals with the correct level of knowledge and influence to drive business forward, provide strategic analysis, and to effectively scrutinise the delivery of a variety of safeguarding work streams.

**MEMBERSHIP**

Membership will be geared to ensure there is a broad, but workable range of informed perspectives from a variety of agencies, including, but not limited to representatives from Birmingham Local Authority, Clinical Commissioning Group (CCG) in Birmingham and West Midlands Police together with co-opted members, such as health organisations, fire service and third sector organisations.

**FREQUENCY OF MEETINGS**

The SAR sub group of the Board will meet 6-weekly, with the autonomy to call extra ordinary meetings as required. The SAR Chair will ensure that relevant parties are involved in SAR processes, including case screening arrangements, on an as required basis and according to circumstances. The SAR Chair will maintain oversight that systems are robust and is accountable to the Board in this regard.

**QUORACY**

The committee is quorate where representatives from at least 2 of the 3 statutory agencies (Local Authority, CCG and Police) are present, plus at least other one representative from a signed partner agency to the Board.

**SUPPORT AND CO-ORDINATION**

The Local Authority will provide administrative and business support via the Safeguarding Board business support team; this will include managing the advance schedule of reports, arranging venues, coordinating the meetings, including minute taking, and the distribution of agendas, reports and minutes.
CITIZEN VOICE

Birmingham Healthwatch will support our the work of our safeguarding agenda in hearing the Voice of the Birmingham Community

Birmingham’s Healthwatch representation on the Board will:

- Help ensure that adults with care and support needs in Birmingham who are at risk of abuse are at the heart of all changes to adult safeguarding arrangements in the city, by working with Board members and their advocates to seek assurance on the quality and effectiveness of public involvement and engagement in safeguarding practices.

- Proactively share information relating to potential or actual safeguarding issues it has identified in the course of dispatching its statutory functions to be the consumer's watchdog of health and social care services, and in so doing support improvement of the delivery and design of services.

- Facilitate a communications link between third sector organisations and community groups working with adults at risk with care and support needs, enabling broader sharing of actionable intelligence which supports continuing quality improvement of services.

- To seek safeguarding assurances by working with board members and associates mindful of the Birmingham Safeguarding Adults Board strategy and action plan.
The Board recognises the need for the voice and input of its city’s carers and in so doing has invited the **Forward Carers Organisation** to be a representative at its board to capture the views of carers and families and the challenges they face. Forward Carers do reflect the diverse communities within Birmingham, so all communities have an access point to their services.

The Chief Executive Officer of Forward Carers has welcomed this opportunity to join our board and to actively support in delivering our Strategy Plan ambitions.

Forward Carers is an award winning social enterprise that prides itself on making a real difference to the lives of carers through working in partnership. As well as offering support to carers direct we can also advise and support organisations such as public body commissioners, providers, employers, in lots of areas including:

- Statutory carer assessment
- Resource allocation
- Direct Payments
- Outcome focused consortium models;
- Case management systems, carer quality of life tracking
- Marketing including website design, digital marketing including growing online capability
- Carer health facilitation, corporate wellbeing
Appendix J

**LEARNING & DEVELOPMENT GROUP**

**AIMS OF THE LEARNING AND DEVELOPMENT GROUP**

- To receive and identify and action learning opportunities for member organisations from the work of the Board
- To follow through on learning actions from SARS cases or any complex case that is brought to the attention of the Board
- To review, act or make recommendations to the Board on national, regional and local learning and development guidance and learning.
- Work with ‘digital technology’ i.e E-Learning packages to support learning across all sectors involved in the work of the Board

**THE ROLE**

To promote that the approach to learning and development within all partner organisations reinforce the basic cultural shift that BSAB aim to deliver in Birmingham so we have:

- A commitment to risk enablement
- A commitment to embedding the principles of the ‘Make Safeguarding Personal’ agenda
- Support a culture of defensible decision-making
- Have a focus on prevention and early intervention
- Have a commitment to working collaboratively in partnership to improve outcomes for citizens
- To promote the move away from the historic reliance on simply referring everything to the Local Authority
- To report to the BSAB Chair and produce a written summary report to the Board from meetings on progress with projects regarding its multi-agency cascading of learning or events
- To chair a group that is flexible in membership ensuring learning objectives are met from any proposed requests agreed by the Board.
- To work with BSAB Support Team to deliver the objectives of any learning outcomes as agreed and producing informative learning literature as required keeping partners and citizens aware and informed

**MEMBERSHIP**

Membership to this group will be according to need but will included partners from training departments in other organisations both statutory and third sector.

**FREQUENCY OF MEETINGS**

The Learning and Development Group will meet every 6 weeks.
**The Board’s Role in Learning and Development**

Birmingham Safeguarding Adults Board recognises that safeguarding responsibilities in the city have to be delivered flexibly, in a wide range of ways and by a very wide range of partners. Safeguarding is genuinely everybody’s business, and as part of the fundamental culture shift we are seeking to deliver in Birmingham, our approach is collaborative rather than prescriptive. We are very aware that as far as improving outcomes for citizens is concerned one, size does not fit all.

Our approach to ‘training’ reflects this position. We do not think it either feasible or desirable that a standardised approach to training, or the adoption of set training packages, should be expected or required of the different organisations making up our partnership. Partners are individually and separately responsible for assessing the learning and development needs of their own staff or volunteers and we recognise and respect that this is likely to look different from organisation to organisation.

Each organisation must make its own judgement, based on their own particular circumstances, role and function, as to whether they feel their own staff/volunteers are skilled and competent in what they are expected to deliver in terms of their safeguarding responsibilities. In some, but not all, cases this may be informed by the requirements of commissioner and regulator, however as a board we do not set standards in this area: what you might reasonably expect of a large statutory provider is, for example, not necessarily what you would expect of a small community group or similar.

The role of BSAB is to seek assurance that the system as a whole works, rather than focusing on the arrangements within individual partners. We do however expect that the approach to learning and development within all partner organisations should reinforce the basic cultural shift we are trying to deliver together in Birmingham:

- A commitment to risk enablement
- A culture of defensible decision-making
- A focus on prevention and early intervention
- A commitment to working in partnership/collaboration to improve outcomes for citizens
- A move away from the historic reliance on simply referring everything to the Local Authority
- A commitment to embedding the principles of the ‘Make Safeguarding Personal’ agenda

The Board does clearly have a role in trying to support and promote a learning culture within the city and within the partnership. However we are not a training provider and we are very clear that we do not want to encourage a culture that simply promotes ‘training for the sake of training’, but rather a culture that is always demonstrably focused on the aim of improving outcomes for citizens in practice. As a board, we are therefore committed to finding creative ways to:

- Promote and support reflective practice within partner organisations
Promote and support the value of good supervision arrangements
Promote and support case based learning forums for practitioners
Share and collate examples of best practice using feedback from Assurance statements and partnership meetings feedback
Share the knowledge coming out of SARS or other serious incidents
Encourage partners to share their own training and learning resources across the partnership
Capture citizen voice and citizen perspectives to inform partner approach to staff learning and development
Where appropriate, produce simple jargon free and accessible guidance on key themes or issues
Consider national trends and developments whilst maintaining a clear focus on Birmingham’s unique challenges

All of the above will be informed by the voice of our citizens and our partners as to where they think our key challenges as a city lie. We encourage all partner organisations to use their voice at partnership meetings to support and be part of what we are trying to achieve. We will also seek to work with other boards or agencies where there are cross cutting themes or areas of joint interest in learning and development, as part of a ‘whole city’ approach.

In circumstances where the board does directly facilitate or organise a learning or development event, these events will normally be very clearly directed at supporting and equipping partner organisations to develop their own systems and approaches to address key challenges, rather than simply training one individual from that organisation in their own individual practice.

Cherry Dale
BSAB - Independent Chair
February 2018