



# Dorset and Bournemouth, Christchurch & Poole Safeguarding Adults Boards Constitution

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## Objectives, Roles and Functions of the Boards

### Title

The Boards shall be known as Dorset and Bournemouth, Christchurch & Poole Safeguarding Adults Boards, hereafter known as DBCPSABs or the Boards, or the Board when referring to all members collectively.

### Mandate

The Boards remain as two Safeguarding Adults Boards established by Dorset Council and Bournemouth Christchurch & Poole Council respectively under section 43(1) of the Care Act 2014.

The Boards work closely together but retain the possibility to have place-based meetings should the need arise.

### Aim of adult safeguarding

The Care and Support Statutory Guidance to the Care Act says that the aims of adult safeguarding are to:

- prevent harm and reduce the risk of abuse or neglect to adults with care and support needs
- stop abuse or neglect wherever possible
- safeguard adults in a way that supports them in making choices and having control about how they want to live
- promote an approach that concentrates on improving life for the adults concerned
- raise public awareness so that communities as a whole, alongside professionals, play their part in preventing, identifying and responding to abuse and neglect
- provide information and support in accessible ways to help people understand the different types of abuse, how to stay safe and what to do to raise a concern about the safety or well-being of an adult; and
- address what has caused the abuse or neglect

### Objectives

The core objective of the Boards, set out in section 43(2) of the Care Act 2014, is to help and protect adults in their area in cases where:

- The adult has care and support needs
- They are experiencing, or at risk of, abuse or neglect; and
- As a result of those care and support needs, they are unable to protect themselves from either the risk of or the experience of abuse or neglect

The Boards will do this by seeking assurance on the effectiveness of the safeguarding activities

undertaken by each member organisation. The Boards may take actions which appear necessary or desirable for the purpose of achieving their objectives as set out in the Strategic Plan.

The Care and Support Statutory Guidance says that the Board will assure itself that local safeguarding arrangements and partners act to help and protect adults in such cases.

## Duties

Safeguarding Adults Boards have 3 core duties under the Care Act 2014:

- They must publish 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. The plan must be developed with local community involvement, and the Board must consult Healthwatch Dorset. The plan should be evidence based and make use of all available evidence and intelligence from partners to form and develop its plan
- They must publish an annual report detailing what the Board has done during the year to achieve its main objective and implement its strategic plan, and what each member has done to implement the strategy as well as detailing the findings of any safeguarding adults' reviews and subsequent action
- They must conduct any safeguarding adults review in accordance with Section 44 of the Act.

## Role

The Care and Support Statutory Guidance paragraph 14.134 – 14.135 sets the following roles for the Board:

- It oversees and leads adult safeguarding across the locality
- It will be interested in a range of matters that contribute to the prevention of abuse and neglect, including;
  - The safety of patients in its local health service
  - The quality of local care and support services
  - The effectiveness of prisons and approved premises in safeguarding offenders
  - The awareness and responsiveness of further education services
- It will be an important source of advice and assistance, for example in helping others improve their safeguarding mechanisms.
- It will make effective links with other key partnerships in the locality and share relevant information and work plans. It will cooperate to reduce any duplication and maximise any efficiency, particularly as objectives and membership is likely to overlap.

It is important that Board partners feel able to challenge each other and other organisations where it believes that their actions or inactions are increasing the risk of abuse or neglect. This will include commissioners, as well as providers of services.

The Boards will need intelligence on safeguarding in all providers of health and social care in its locality, not just those with whom its members commission or contract.

In addition to their role as Safeguarding Adults Boards under the Care Act 2014, the Boards also give local leadership on application of the Mental Capacity Act 2005 by members, including the Deprivation of Liberty Safeguards.

## Functions

Paragraph 14.139 of the Care and Support statutory guidance says that the Board will

- identify the role, responsibility, authority, and accountability with regard to the action each agency and professional group should take to ensure the protection of adults
- establish ways of analysing and interrogating data on safeguarding notifications that increase the Board's understanding of prevalence of abuse and neglect locally that builds up a picture over time
- establish how it will hold partners to account and gain assurance of the effectiveness of its arrangements
- determine its arrangements for peer review and self-audit
- establish mechanisms for developing policies and strategies for protecting adults which should be formulated, not only in collaboration and consultation with all relevant partners but also take account of the views of adults who have needs for care and support, their families, advocates, and carer representatives
- develop preventative strategies that aim to reduce instances of abuse and neglect in its area
- identify types of circumstances giving grounds for concern and when they should be considered as a referral to the local authority as an enquiry
- formulate guidance about the arrangements for managing adult safeguarding, and dealing with complaints, grievances and professional and administrative malpractice in relation to safeguarding adults
- develop strategies to deal with the impact of issues of race, ethnicity, religion, gender and gender orientation, sexual orientation, age, disadvantage and disability on abuse and neglect
- balance the requirements of confidentiality with the consideration that, to protect adults, it may be necessary to share information on a 'need-to-know' basis
- identify mechanisms for monitoring and reviewing the implementation and impact of policy and training
- carry out safeguarding adult reviews and determine any publication arrangements
- produce a strategic plan and an annual report
- evidence how Board members have challenged one another and held other boards to account
- promote multi-agency training and consider any specialist training that may be required. Consider any scope to jointly commission some training with other partnerships, such as the Community Safety Partnership.

## Membership of the Board

### Chair

The local authority, having consulted the other members of the Board, must appoint as the chair a person whom the authority considers having the required skills and experience

The responsibilities of the Chair are:

- To ensure that the Board meets its obligations
- To ensure smooth running of the Board and its meetings
- To report to the Board on its effectiveness in discharging its responsibilities and functions
- To commission Safeguarding Adults Reviews in agreement with the Board and also to ensure that the recommendations from Safeguarding Adults Reviews are disseminated widely amongst partners to the Board
- The Chair will be responsible to the Chief Executives of Dorset Council and Bournemouth, Christchurch & Poole Council. The Chief Executives may delegate day-to-day responsibility to another officer of the Councils.
- To ensure the DBCPSAB publishes a 3-year Strategic Plan, supported by Annual Business Plans

The Chair may take such action as s/he considers to be in the best interest of the Boards, provided that before doing so, the Chair shall consult with the Executive Leadership Group of the Boards and, if reasonably practicable, with Board members, specifically before:

- Making a public or media statement within the objectives and functions of the Boards. The Chair shall make such a statement with the support of either of the Council's Communications teams.
- Making representations to any government body or department, or any other organisation on behalf of the Boards.

### Deputising for the Independent SAB Chair

In the exceptional circumstance that the Independent Chair is not available to attend a meeting a senior representative from one of the statutory partners will act as Chair.

### Membership

The Boards shall be composed of senior officers 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 must send a nominated representative of sufficient seniority. Representatives are appointed to personally discharge the functions of the Board on behalf of their organisation. Therefore, the representative may only send a substitute to a Board Meeting with the consent of the Chair. The representative should be sufficiently briefed to contribute to the meeting.

## Changes to membership

The Board will review membership not less than every 3 years.

The Chair has the power to make changes to the partners that make up the membership of the Board in consultation with the Executive of the Board, the number of members from each agency, and in which roles within those partners will act as Members of the Board. The Chair will consult with Board members on such matters.

An appointed Member of the Board may be removed at any time by the agency they represent.

The Chair of the Board may refer the matter of an individual's continued membership of the Board back to their individual agency for a decision to be made as to whether that individual should continue to represent the agency at the Board.

Where the Chair has reasonable cause to believe that the need for removal is urgent, the Chair may suspend that member until such time as the agency can consider the matter.

## Responsibilities of Board Members

Members who attend in a professional and managerial capacity should be:

- able to present issues clearly in writing and in person
- experienced in the work of their organisation
- knowledgeable about the local area and population
- able to explain their organisation's priorities
- able to promote the aims of the DBCP SAB
- able to commit their organisation to agreed actions
- have a thorough understanding of abuse and neglect and its impact
- understand the pressures facing front line practitioners

## Expectations of Members

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 with 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 subgroup or 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 subgroup/task and finish group as

appropriate to their organisation.

- adhere to the Boards' Information Sharing Protocol
- act as a channel of communication between their agency and the Boards.
- attend and support promotional and other events arranged by the Boards. Contribute to and examine regular updates, data and analysis on individual agency and joint agency performance indicators

### Monitoring of Board attendance

Attendance at meetings will be reported to the Board and recorded both in the minutes of the meeting and in the Boards' Annual Report. In the event of one member's persistent non-attendance, the Chair will write to Chief Executive, or equivalent, of the organisation concerned to bring this to their attention.

### Declarations of Interest

If at any time a Board Member has a pecuniary or other potentially prejudicial interest in any matter being considered by the Boards, they should declare the existence and nature of that interest.

Declarations of interest will be recorded, and action taken by the Chair to ensure the individual concerned is not involved in decision-making or consequent action in relation to the matter in question.

The Declaration of Interest will be a standing item on all Board agendas.

## Arrangements for the Boards

### Meetings of the Board

The Board will meet not less than four times a year. Additional meetings may be convened if required by the Chair.

A quorum of the Board shall be

- Either the Chair or Vice-Chair must be present.
- Four full members, representing at least four separate partners
- There must be representation from each of the four partners required by section 1 of Schedule 2 of the Care Act 2014 to be members: each of the two Local Authorities, NHS Dorset ICB and Dorset Police

If at any time there is not a quorum present, the meeting cannot agree decisions on behalf of the Board. However, in exceptional circumstances, discussions can be held, and absent statutory members can be asked to agree retrospectively in person or via email.

The business of each meeting will be planned so that the annual reporting back on work managed within any subgroup, working group, or other process outside the main meeting, is spread throughout the year



Meetings of the Board are open only to Board members and to invited attendees.

### Decision making

Wherever possible the Chair shall attempt to reach decisions by consensus. However, where this proves not to be possible then matters will be settled by a simple majority of those members present who are entitled to vote.

No organisation shall exercise more than one vote.

In the case of equality of votes the Chair shall have the casting vote.

The Chair or, in the absence of the Chair, the Vice Chair, in consultation with the 4 statutory Member partners set out in section 1 of Schedule 2 of the Care Act 2014 (Dorset Council, BCP Council, NHS Dorset /ICB and Dorset Police), shall decide any issue which requires a decision by the Boards between meetings if it does not, in the opinion of the Chair, require a special meeting to be convened. These Board Members will be known as the Executive. The decision will be reported and submitted for ratification to the next meeting of the Board.

The Board may delegate such of its functions as it considers appropriate to subgroups and / or task specific working groups. In general outcomes of such work by any subgroups or task and finish groups will need to be agreed by the Board

### Confidentiality

The Chair may determine that any particular item of business at a meeting of the Board be treated as confidential. The presumption is that items will not be confidential unless this is a reasonable requirement. Reasonable requirements might include, but are not restricted to, the matter involving sensitive personal data, commercially sensitive information, or information that might prejudice another process.

### Accountability

In order to provide effective scrutiny, the Board is independent. It is not subordinate to, nor subsumed within, other local structures. Each partner organisation retains their own existing lines of accountability for safeguarding and the promotion of the welfare of adults with care and support needs by their services.

The principal means of accountability of the Board will be its Annual Report and minutes of its meetings other than any confidential items.

The Board will make public, minutes of its meetings, once these have been agreed at the subsequent meeting, except for the minutes relating to any confidential section of the meeting.

### Freedom of Information

The SAB acts on behalf of the relevant organisations and any information it holds is the property of those organisations. Whilst the SAB itself is not a body to which Freedom of information disclosures applies, this does apply to relevant constituent organisations.

## Annual Report

In line with the requirements of Schedule 2 of the Care Act 2014, the Chair of the Board shall send copies of the Annual Report to

- The Chief Executive and the Leaders of BCP and Dorset Councils
- The Dorset Police Commander and the Police & Crime Commissioner
- The Chief Executive of Healthwatch Dorset
- The Chair of Dorset and the Chair of BCP Health and Wellbeing Boards

The Safeguarding Adults Board will offer to present a report to the Health and Wellbeing Board annually, including the Board's annual report.

The Board shall also send its annual report to the Scrutiny Committees of both Councils.

## Strategic Plan

A lead is taken in the strategic development of the Board's Business Plan by:

- Receiving an annual report on the work of standing groups and other working groups.
- Making collective decisions on the proposed business plan for the coming year, through discussion at a Board Development and Business Planning Event.
- Agreeing themes for future Board meetings

## Complaints

The Boards shall refer all complaints from members of the public in relation to provision or performance of any function of a member organisation to the Board Partner's own internal Complaints handling Process unless the complaint is about the Board itself and its handling of activity in accordance with its statutory function. In such cases the DBCPSAB Complaints Policy & Process will be followed.

## Assurance

The Boards will receive assurance of how key safeguarding responsibilities are being discharged for all Members by:

- Undertaking agreed self-audits on key safeguarding responsibilities of all Members.
- Providing performance management information on agreed topics.
- Receiving reports on Safeguarding Adult Reviews and learning best practice from other review processes
- Working together with and receiving updates from other statutory Boards in each of the Councils:
  - Pan Dorset Safeguarding Children Partnership
  - Dorset and BCP Community Safety Partnerships

Joint work with other statutory Boards will include shared learning arising from performance reviews, Domestic Homicide Reviews, Child Safeguarding Practice Reviews, Mental Health Homicide Reviews, MAPPA Serious Case Reviews. through regular sharing of information and attendance at various meetings and audit activities. This is particularly important where there is crossover between safeguarding adults and safeguarding children or where the subject of Domestic Abuse is also an adult with care and support needs.

- Receiving reports on safeguarding work not led by the work of Subgroups, working groups or other processes.
- Receiving reports on safeguarding work led by individual Members or standing subgroups and other working groups.
- The Boards and their members will cooperate with any reasonable request by the Councils in respect of their Overview & Scrutiny functions under Section 21 Local Government Act 2000.

## Finances and Resources

Members of the Boards are expected to consider what assistance they can provide in supporting the Boards in their work. This will be through payment to the local authority or to a joint fund for business functions of the Board including remuneration of the Independent Chair. Members might also support the work of the SAB by providing administrative help, premises for meetings or holding training sessions. It is in all core partners' interests to have effective Boards that are resourced adequately to carry out their functions. Core members of the Board are responsible for the agency budget contribution to the Board and ensuring that the allocated agency resources, financial and human, are utilised to meet the Boards' objectives.

Statutory partners will contribute to the costs of running the Boards and the Business Unit. Other Board member partners may contribute annually towards resources at an agreed level, having regard to the differing size, resources and responsibilities of each agency.

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

BCP Council will administer the budget on behalf of the Boards. The Business Managers, in conjunction with the Chair and in consultation with BCP Council, will have the authority to act as the boards' budget holder for the authorisation of payments, or to escalate such decisions as required by the Councils' schemes of delegation. The Chair will be consulted on financial decisions.

The Boards' budget is kept under review by receiving an annual budget report and agreeing funding proposals.

## Structure

The Boards shall have power to create subgroups as they deem necessary. These may be standing groups or task and finish groups.

The Boards will have the following subgroups:

- An Executive offering advisory functions from key statutory partners.

- A Community Engagement Group (CEG)
- A Safeguarding Adults Review subgroup (SAR Subgroup)
- A Quality Assurance subgroup (QA Subgroup)

The Executive will be chaired by the SAB Chair, and the SAR and QA Subgroups will be chaired by one of the statutory partners, with arrangements for a Deputy Chair to be provided by a different statutory partner.

The QA subgroup and SAR subgroup shall each appoint a Deputy Chair, in the absence of the Chair, the Deputy Chair shall chair the meeting.

The Deputy Chairs will also represent one of the statutory partners and both shall be full members of this subgroup.

In exceptional circumstances, and where the Chair and Deputy Chair are absent, the Independent SAB Chair shall decide who will take responsibility for chairing the meeting.

The Community Engagement Group will appoint a chair and deputy chair from senior members of voluntary organisations represented.

Each of the Subgroups will have agreed Terms of Reference from the Boards, which specify what authority is to be delegated, what outcomes are expected and the reporting mechanism to the Boards.

When required task and finish groups will be set up. These task and finish groups will comprise representatives nominated by Board Members who have sufficient knowledge and skills to contribute to the required task.

### Dispute Resolution

In the event of any dispute between Board Members, the Board will collectively take all reasonable steps within the powers available to its members to resolve it. When a matter cannot be resolved through the course of a Board Meeting, the matter shall be referred to the appropriate senior officers within those member partners who shall meet to resolve the matter with the Chair.

If the dispute is still not resolved, the matter will be escalated to the Executive Group for a further attempt at resolution. The Chair may consult with others such as senior managers of the partner agencies involved.

In the event that the dispute cannot be resolved in accordance with the above procedures and within a reasonable time, having regard to the nature of the dispute, the Members concerned may refer the matter to such body or person to act as a mediator as they may agree, the costs of such mediation to be borne by the Members concerned.

### Review of Constitution

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

## Appendix 1: Membership of the Dorset and Bournemouth, Christchurch & Poole Safeguarding Adults Boards

Organisation	Role
Dorset Council	Executive Director of People - Adults
Dorset Council	Corporate Director for Commissioning Adults and Housing
Dorset Council	Corporate Director for Adult Social Care Operations
Dorset Council	Corporate Director for Housing
Dorset Elected member	Portfolio Holder Adult Health and Social Care
BCP Council	Director of Adult Social Care
BCP Council	Head of Statutory Services, Adult Social Care Services
BCP Council	Director of Adult Social Care Commissioning
BCP Council	Director of Housing
BCP Elected member	Portfolio Holder Health and Wellbeing
Dorset ICB	Chief Nurse for NHS Dorset Integrated Care Board
Dorset ICB	Head of Safeguarding, NHS Dorset
Dorset Police	Assistant Chief Constable
Dorset Police	Detective Superintendent, Public Protection Unit
Dorset HealthCare	Interim Director of Nursing
Dorset HealthCare	Professional Lead for Safeguarding
University Hospitals Dorset	Deputy Chief Nurse
University Hospitals Dorset	Head of Safeguarding
Dorchester County Hospital	Chief Nursing Officer
Dorchester County Hospital	Safeguarding Lead
NHS England	Regional Lead for Safeguarding, NHS England and NHS Improvement
South West Ambulance Foundation Trust	Head of Safeguarding
Prisons: HMP Guys Marsh HMP Portland HMP The Verne	
Dorset and Wiltshire Fire and Rescue Service	Group Manager, Dorset Area Group Manager, BCP Area
National Probation Service	Head of Dorset National Probation Service
Healthwatch	Manager
Dept. of Work and Pensions	Safeguarding Lead Southwest

Voluntary Sector Representative	CEO of SEDCAT (South-east Dorset Community Accessible Transport)
Chairs of Subgroups:	Safeguarding Adults Review Subgroup Quality Assurance Subgroup Community Engagement Group

### Non-voting members

The following will be members in an advisory capacity, without voting rights for decision-making by the Board:

CQC	
NHS England & Improvement	
Dorset & BCP Councils	Safeguarding Adults Leads