

# Nottingham City Safeguarding Adults Board Constitution

## June 2023

### Version Control

Version	Change	Date
1.7	Constitution agreed at Board	June 2017
1.8	Appendix 4 (complaints) agreed at Board. Membership updated	September 2017
1.9	Membership updated	Dec 2017
2.0	PAT process updated	Sept 2019
2.1	PAT tool updated	May 2023
2.2	Constitution reviewed and approved	June 2023

## **Purpose of the Board**

The Nottingham City Safeguarding Adults Board ['NCSAB' or 'the Board'] is established by Nottingham City Council ('the Council') under section 43 of the Care Act 2014 and the Care and Support Statutory Guidance (October 2014 and later revisions) ['the Statutory Guidance'].

## **Aim**

The aim of the Board is to ensure the effective co-ordination of services to safeguard and promote the welfare of adults in accordance with the Care Act 2014 and the Statutory Guidance.

The NCSAB is a multi-agency Board that will coordinate the strategic development of Adult Safeguarding across Nottingham City and ensure the effectiveness of the work undertaken by partner agencies in the area.

The Board aims to achieve its objectives through partner agencies supporting individuals in maintaining control over their lives and in making informed choices without coercion.

## **Objectives**

Whilst NCSAB has a role in coordinating and ensuring the effectiveness of work being done by local individuals and organisations in relation to safeguarding adults, it is not accountable for their operational work. Each Board Partner has their own existing lines of accountability for safeguarding adults by their services. The Board does not have the power to direct other organisations but aims to assure itself that members and partners act to help and protect adults experiencing or at risk of abuse and/or neglect.

## **Functions**

The core duties of the Board are set out in sections 43 and 44 and Schedule 2 of the Care Act and Chapter 14 of the Statutory Guidance issued under section 78 of the Care Act 2014 which require the Board to:

- Publish a Strategic 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 implement its Strategic Plan and what Members have done to implement the Strategy;
- Conduct any Safeguarding Adults Review in accordance with section 44 of the Care Act 2014. All SARs are subject to the six key principles that underpin all adult safeguarding work:
  - Empowerment;
  - Prevention;
  - Proportionality;
  - Protection;

- Partnership;
- Accountability.

The Board will decide how it will operate, but in doing so, must ensure that its arrangements will be able to deliver the duties and functions described in Schedule 2 of The Care Act 2014 and meet the requirements of the Statutory Guidance, particularly the list of specific actions that are defined for each SAB.

In order to fulfil its core duties, the Board will develop initiatives, plans, policies and procedures for Safeguarding Adults in their area or, where agreed by the Board, adopt regional and/or National Policies and Procedures. The Board will:-

- Develop and maintain a Strategic Plan and associated Annual Action Plan
- Develop and maintain a Risk Register
- Monitor and evaluate the effectiveness of action plans and monitor the impact of learning arising from Safeguarding Adult Reviews

In all activities the NCSAB will promote equality of opportunity and aim to meet the diverse needs and wishes of adults at risk in the area. The Board will seek to ensure there is a strong commitment to Making Safeguarding Personal across the partnership, and that the voice of the citizen is present in the work of the Board and its constituent sub-groups.

### **Remit of the NCSAB**

Safeguarding Adults Boards do not commission or deliver direct frontline services though they may provide training. While SABs do not have the power to direct other organisations, they do have a role in making clear where improvement is needed. Each Board partner retains their own existing line of accountability for safeguarding.

### **Board members**

The NCSAB has core membership of the City Council, Nottingham and Nottinghamshire ICB (Integrated Care Board) and Nottinghamshire Police; other key agencies have also been included as members and the Board should assure itself that it has the involvement of all partners necessary to carry out its duties effectively.

The Council's Lead Member for safeguarding adults should be a 'participating observer' of the Board. In practice this means routinely attending meetings and receiving all written reports.

A full list of current members is found in Appendix 1.

### **Connectivity between the NCSAB and other Partnerships**

The NCSAB will have in place coordination, reporting and scrutiny arrangements as appropriate with key partnerships and stakeholders, where appropriate underpinned by mutually agreed protocols. These will include but will not be restricted to the Health and Wellbeing Board, the Crime and Drugs Partnership, and Nottingham City Safeguarding Children Partnership.

## **Budget**

The NCSAB budget will be set annually in conjunction with the Nottingham City Safeguarding Children's Partnership according to the needs of the Board in order to fulfil its function. The budget may be revised during the year if all funding partners are in agreement. Partners contributions to the Board are from the City Council, the ICB and the Police with income and expenditure reported in the Annual Report.

Note SARs and discretionary SARs are funded jointly by the three statutory partners and these costs are not included in the budget.

## **Strategic Plan**

The NCSAB will publish each year a Strategic Plan which may cover a single or multiple years, with an Annual Action Plan, prepared by the Business Management Group. This should address both short- and longer-term actions. The Strategic Plan will be complemented by a risk register.

Detailed oversight of the Strategic Plan, Annual Action Plan and Risk Register will be undertaken by the Business Management Group.

## **Annual Report**

The NCSAB will publish an Annual Report in accordance with the requirements of the Care Act. This report will be sent by the Chair to: the Chief Executive and Leader of the City Council; the Police and Crime Commissioner and the Chief Constable; the chair of the Health and Wellbeing Board; the Chair of the NCC Health Scrutiny Committee, the local Healthwatch, and any other relevant Partnership Body.

## **Policies and Procedures**

Policies and procedures will generally be reviewed every three years unless the following occur:

- Legislative or statutory guidance change – the affected policy and procedure will be reviewed within 3 months
- Good practice / research evidence / information from the National Chairs Network etc. is published – affected policy and procedures will be reviewed within 3 months
- Case law, judicial review etc – affected policy and procedures will be reviewed within 6 months however information will be shared with Partners on the impact of the outcome if known
- The nature of the policy and procedure requires an earlier review

## **NCSAB Governance and Operational Arrangements**

### **The Independent Chair**

The core members of NCSAB – the Local Authority, ICB and Police - have determined that there should be an Independent Chair of the Board and Business Management Group. The Independent Chair, appointed specifically for this purpose, chairs the Board and BMG. The Independent Chair is accountable to the Corporate Director for Children and Adults Services who also holds the position of Director of Adult Social Services. The Chair carries roles and responsibilities to ensure that the Board works collaboratively and effectively to fulfil its aim, objectives and functions; the Chair should meet the expectations stated in the Care Act Guidance.

The Independent Chair will be appointed for a term of 3 years, after which the core members – consulting others as appropriate - can consider whether or not to test the market for a new Independent Chair via a competitive process. The process can result in a reappointment or the appointment of a new Chair.

### **The Vice Chair and Chairs of Sub-groups**

The Vice Chair of the NCSAB will have a 3-year tenure and will be from one of the three core organisations. The Vice Chair will be selected via nominations from the three core organisations. If there is more than one nomination, then a secret ballot will be conducted at the next available NCSAB meeting. If more than one candidate receives the same number of votes then the Independent Chair will have the casting vote.

Chairs of sub-groups will have a 3-year tenure. The selection process will follow that outlined above for the selection of the Vice Chair of the NCSAB. However, sub-group chair nominations may be from any member organisation, subject to approval by the core members.

### **The Role and Performance of individual NCSAB Members**

Members of the NCSAB 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 NCSAB
- 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
- able to hold their own and other NCSAB organisations to account

Board members will also be expected to:

- Be familiar with government guidance relevant to safeguarding in their organisation
- Attend and contribute at Board meetings.
- Respond expeditiously to requests for information.

Individual members of the NCSAB have a duty to contribute to the effective work of the Board. Members are accountable to each other and to the organisation that they represent for the work of the NCSAB, Business Management Group and sub-groups.

If Board members are unable to attend a meeting, they are expected to send a Deputy, able to represent their organisation fully. A register of representation is collected.

Board members are expected to act as safeguarding ‘champions’ within their organisations and at any other partnership meetings that they attend; they will bring any significant safeguarding issues, challenges or concerns arising to the attention of the Board. They will also be responsible for ensuring any NCSAB guidance, policies, procedures, frameworks or resources are distributed within their agency, incorporated into internal guidance, and oversee the process of embedding them into operational practice.

### **Decision Making**

Members of the Board will operate according to the governance arrangements of their organisation. Most decisions that the Board needs to make can be made with the delegated authority that Members hold on behalf of their agencies. It is recognised that some matters may need to be referred into their agencies’ decision-making frameworks.

Wherever possible, decisions will be made by consensus. Where the Chair decides that this is not possible, the Chair can ask the three statutory funding partners to take a vote – one for each organisation. This can take place outside meetings if an urgent decision is required.

The principles outlined above will apply to decision making in the Business Management Group and sub-groups.

### **Governance Documents**

The NCSAB constitution shall only be amended with agreement of the Board.

### **Quorum**

The quorum for meetings of the Board, Business Management Group and sub-groups will be that at least half of the full membership is present, including the Chair or Vice-Chair; for Board and BMG, at least two of the funding partners will be represented. Where any of Nottingham City Council, Nottinghamshire Police or Nottingham and

Nottinghamshire ICB are absent they must be informed of and involved in any key decisions which may impact on their organisation.

### **Declarations of interest**

Declarations of interest need to be stated where an individual's personal, financial, professional, or family interests may be significant to an item on the agenda of the NCSAB. At the commencement of meetings members will be asked to declare potential conflicts of interest in any aspect of the agenda. The Chair, at his/her discretion, may ask the individual to leave the meeting for the whole or part of the relevant agenda matter. Representing their organisation does not need to be declared unless there may be significant interests for their organisation involved in an item, which would not be known to other partners.

Though the SAB is not a commissioning organisation, to assist with consideration of interests, the Nottingham and Nottinghamshire ICB table of Types of Interest is attached as Appendix 3.

### **Confidentiality**

All members of the Board and its sub-groups will treat information received according to the same principles of confidentiality that apply in the organisation they represent.

In general information should be treated in confidence, except where it has been made clear by the chair that it is intended for cascade by partner agencies. Likewise, any specific restrictions on sharing information will be made explicit by the chair (of the Board or sub-groups), including why such restrictions are necessary.

### **Sub-groups**

The NCSAB performs a number of its key functions through permanent or temporarily convened sub-groups. New sub-groups, either permanent or temporary, can only be established with the agreement of the Business Management Group. Terms of Reference for each sub-group are established and subject to approval by the Business Management Group, or, if decided by the Independent Chair, the Board, and reviewed every 2 years.

A full list of current groups is found in Appendix 2

All sub-groups will report to the Business Management Group, at each meeting using the Sub-group Chair's report pro forma, with exceptional issues highlighted to the next full Board meeting.

## Appendix 1 – Membership of the Board

Name	Agency	Role
Lesley Hutchinson		Independent Chair
Councillor Linda Woodings /Councillor Jay Hayes	Nottingham City Council	Nottingham City Council, Portfolio Holders for ASC & Public Health
Catherine Underwood	Nottingham City Council	Director of Adult Social Care (DASS)
Sara Storey	Nottingham City Council	Director for Adult Health and Social Care
Julie Sanderson	Nottingham City Council	Head of Safeguarding and Quality Assurance
Becky O'Brien	Nottingham CityCare Partnership	Director of Nursing & Allied Health Professionals
Rosa Waddingham	Nottingham and Nottinghamshire ICB	Chief Nurse
Rebecca Selwyn	Nottingham University Hospitals Trust (NUHT)	Head of Safeguarding
Lucy Chambers	Nottinghamshire Health Care NHS Foundation Trust	Associate Director for Safeguarding & Social Care
Michael White	East Midlands Ambulance Service	Ambulance Operations Manager - Nottinghamshire
Natasha Todd	Nottinghamshire Police	T/Superintendent Public Protection
Rob Routledge	Nottinghamshire Police	Detective Chief Inspector, Public Protection
Katy Pearson	DWP	Advanced Customer Support Operational Delivery Leader
Lisa Barraclough	DWP	Advanced Customer Support Senior Leader
Dan Lucas	Housing Division (Growth and City Development Directorate), Nottingham City Council	Housing Strategy and Partnerships Manager
Sonya Hand	Nottinghamshire National Probation Service	Deputy Head of Nottingham City PDU



Phil Broxholme	Crime and Drugs Partnership	Senior Community Safety Manager, Nottingham City Council
Deborah Searson-Smith	HMP Nottingham	Head of Safety & Equalities
Chris Clark	Nottinghamshire Fire and Rescue	Adult Safeguarding lead for NFRS
Lucy Hubber	Public Health	Director of Public Health, NCC
Jane Laughton	Healthwatch	Chief Executive Officer
Amy Killeen	POhWER Advocacy	Community Manager
<b>ATTEND IN ADVISORY CAPACITY</b>		
Emma Coleman	NCSAB	Board Manager
Sarah Yumani	NCSAB/CB	Business Support Officer
<b>ATTEND IN ADVISORY CAPACITY AS NEEDED</b>		
Rosalie Hawks	Nottingham City Council	Team Leader, Children & Adults Legal Team / Nominated Solicitor to NCSAB
<b>Receives Papers &amp; Attends as required</b>		
Jane Paling	Nottingham City Council	TLI Sub-Group Chair, Slavery Exploitation Team Manager Communities
Rebecca Lawday	Nottinghamshire Healthcare NHS Foundation Trust	QA Sub-group Chair, Consultant Forensic Psychologist, Trustwide Safeguarding Service
Ishbel Macleod	Nottingham and Nottinghamshire ICB	SAR Sub-group Chair, Designated Professional for Safeguarding Adults

The Board does not currently have a ‘user group’ representative or lay member however the Board ensures the voice of individuals at risk and citizens are heard and is looking to develop its approach further.

## **Appendix 2 – Current Sub-groups of the Board**

### **Business Management Group**

Chair: Lesley Hutchinson, NCSAB Independent Chair

Vice Chair: Natasha Todd, Nottinghamshire Police

Membership consists of representation from:

- Nottingham and Nottinghamshire Integrated Care Board (ICB)
- Nottinghamshire Police
- Nottingham City Council Adult Social Care
- SAR sub-group chair
- QA sub-group chair
- TL&I sub-group chair

The BMG is supported by the Board Manager and Business Support Officer with additional support from the Board Comms lead as required.

### **Safeguarding Adult Review (SAR) Sub-group**

Chair: Ishbel Macleod, Designated Professional for Safeguarding Adults, Nottingham and Nottinghamshire ICB

Vice Chair: TBC

Membership consists of representation from:

- Nottinghamshire Police
- Nottingham and Nottinghamshire ICB
- Nottingham City Council Adult Social Care
- Nottingham University Hospitals NHS Trust
- Nottingham CityCare Partnership
- Nottinghamshire Healthcare NHS Trust
- Nottingham Probation
- Nottingham City Council Communities
- Framework Housing Association
- Nottingham City Homes

In addition, representatives from the following organisations attend in an advisory capacity:

- Nottingham City Council Children & Adults Legal Team
- Nottingham Trent University

The sub-group is supported by the NCSAB Board manager and Business Support Officer

## **Quality Assurance Sub-group**

Chair: Rebecca Lawday, Consultant forensic psychologist, Clinical safeguarding associate, Nottinghamshire Healthcare NHS Foundation Trust

Vice Chair: TBC

Membership consists of representation from:

- Nottingham CityCare Partnership
- Nottingham and Nottinghamshire ICB
- Nottingham City Council Adult Social Care
- Nottinghamshire Police
- Nottinghamshire Healthcare NHS Foundation Trust
- Nottingham University Hospitals NHS Trust
- Framework Housing Association
- Healthwatch
- Nottingham Probation Service

The Sub-group is supported by a Nottingham City Council Performance Analyst and the NCSAB Board Manager & Business Support Officer

## **Training, Learning and Improvement Sub-group**

Chair: Jane Paling, Slavery Exploitation Team Manager, Communities, Nottingham City Council

Vice Chair: Sally Savage, District Prevention Manager & Designated Safeguarding Officer, Prevention - Nottinghamshire Fire and Rescue Service

Membership includes representation from:

- Nottingham City Council Adult Social Care
- Nottingham CityCare Partnership
- Nottinghamshire Healthcare NHS Trust
- Nottingham City Council Comms
- Nottinghamshire Police
- Nottingham and Nottinghamshire ICB
- Nottingham University Hospitals Trust
- Nottinghamshire Fire & Rescue Service
- Framework Housing Association
- Vulnerable Adults Provider Network

And includes any other organisations as relevant to the learning and improvement activity.

**Appendix 3 – Nottingham and Nottinghamshire ICB Declaration of Interests - Types of interest**

Type of Interest	Description
Financial Interests	<p>This is where an individual may get direct financial benefits from the consequences of a commissioning decision. This could, for example, include being:</p> <ul style="list-style-type: none"> <li>• • <input type="checkbox"/> A director, including a non-executive director, or senior employee in a private company or public limited company or other organisation which is doing, or which is likely, or possibly seeking to do, business with health or social care organisations;</li> <li>• • <input type="checkbox"/> A shareholder (or similar owner interests), a partner or owner of a private or not-for-profit company, business, partnership or consultancy which is doing, or which is likely, or possibly seeking to do, business with health or social care organisations.</li> <li>• • <input type="checkbox"/> A management consultant for a provider;</li> <li>• • <input type="checkbox"/> In secondary employment;</li> <li>• • <input type="checkbox"/> In receipt of secondary income from a provider;</li> <li>• • <input type="checkbox"/> In receipt of a grant from a provider;</li> <li>• • <input type="checkbox"/> In receipt of any payments (for example honoraria, one off payments, day allowances or travel or subsistence) from a provider</li> <li>• • <input type="checkbox"/> In receipt of research funding, including grants that may be received by the individual or any organisation in which they have an interest or role;</li> <li>• • <input type="checkbox"/> Having a pension that is funded by a provider (where the value of this might be affected by the success or failure of the provider).</li> </ul>
Non-Financial Professional Interests	<p>This is where an individual may obtain a non-financial professional benefit from the consequences of a commissioning decision, such as increasing their professional reputation or status or promoting their professional career. This may, for example, include situations where the individual is:</p> <ul style="list-style-type: none"> <li>• • <input type="checkbox"/> An advocate for a particular group of patients;</li> <li>• • <input type="checkbox"/> A GP with special interests e.g., in dermatology, acupuncture etc.</li> <li>• • <input type="checkbox"/> A member of a particular specialist professional body (although routine GP membership of the RCGP, BMA or a medical defence organisation would not usually by itself amount to an interest which needed to be declared);</li> <li>• • <input type="checkbox"/> An advisor for Care Quality Commission (CQC) or National Institute for Health and Care Excellence (NICE);</li> <li>• • <input type="checkbox"/> A medical researcher.</li> </ul>
Non-Financial Personal Interests	<p>This is where an individual may benefit personally in ways which are not directly linked to their professional career and do not give rise to a direct financial benefit. This could include, for example, where the individual is:</p> <ul style="list-style-type: none"> <li>• • <input type="checkbox"/> A voluntary sector champion for a provider;</li> <li>• • <input type="checkbox"/> A volunteer for a provider;</li> <li>• • <input type="checkbox"/> A member of a voluntary sector board or has any other position of authority in or connection with a voluntary sector organisation;</li> <li>• • <input type="checkbox"/> Suffering from a particular condition requiring individually funded treatment;</li> </ul>

	<ul style="list-style-type: none"> <li>• • <input type="checkbox"/> A member of a lobby or pressure groups with an interest in health.</li> </ul>
Indirect Interests	<p>This is where an individual has a close association with an individual who has a financial interest, a non-financial professional interest or a non-financial personal interest in a commissioning decision (as those categories are described above). For example, this should include:</p> <ul style="list-style-type: none"> <li>• • <input type="checkbox"/> Spouse / partner;</li> <li>• • <input type="checkbox"/> Close relative e.g., parent, grandparent, child, grandchild or sibling;</li> <li>• • <input type="checkbox"/> Close friend;</li> <li>• • <input type="checkbox"/> Business partner.</li> </ul>

September 2016

### **NCSAB Complaints Policy & Escalation Process**

This Board Complaints Policy only deals with complaints which are specifically about the Board, or a Board process. This is likely to be limited to complaints about Safeguarding Adult Reviews, about Safeguarding Adult Review processes or about other publications or campaigns led by the Board.

When a complaint is received by the Board office, the Board Business Manager will explore (liaising with partners where necessary) whether the complaint meets the criteria for other statutory complaints processes (for example NHS Complaints, Social Care Complaints, Police Complaints etc). This Board Complaints process should only be followed when other statutory complaints processes are not applicable.

The NCSAB position in relation to complaints is based on the following key principles

- Viability – The system for dealing with complaints has to be one that can be adequately resourced in order to provide a robust and timely response. It is essential that only complaints which are legitimately about the Board are dealt with through a Board process.
- Efficiency – The system has to avoid duplicating or overlap with other existing measures. This would include both escalation processes and other complaints systems/processes.
- Informed – The system needs to be delivered by those with the expertise to provide a balanced and knowledgeable response.
- Problem solving – Experience indicates that a positive, solution focussed approach will minimise the number of formal complaints received.

In light of this the Board position in relation to complaints is as follows:

Complaints from, or on behalf of, an agency are dealt with through an escalation process (see below), rather than a complaints process, with the Independent Chair acting as final arbiter.

Complaints from a citizen regarding the conduct or performance of an employee or volunteer of a Board partner agency will be referred to the agency that employs or is responsible for that person's work.

Complaints from a citizen about a Board process, e.g. a Safeguarding Adult Review, will initially be responded to by the Board Business Manager in consultation with the relevant Head of Service, with a written response within 28 days of receipt. If the complainant is unsatisfied they should contact the Board Business Manager who will arrange for their complaint to be considered by the Independent Chair, who will consult with the Director of Adult Social Services before responding. The Independent Chair will provide a further written response within 28 days of the complainant contacting the Board Business Manager.

Where a citizen wishes to appeal a decision made by the SAB (for example a decision to initiate a SAR) this will be considered as a complaint, as in the paragraph above.

Where a complaint from a citizen is about a process which the Board Business Manager has been involved with, the Board Business Manager will consult with the Head of Service for Safeguarding and Quality Assurance (Council ASC) who will decide whether or not the Board Business Manager is too compromised to respond to the complaint. In those cases (and in all cases where the complaint is directly or substantially about the Board Business Manager), the Head of Service will consult with the Independent Chair and the Director of Adult Social Services to identify another suitable colleague who can provide a written response to the citizen.

Complaints from a citizen about the Independent Chair will be considered by the Corporate Director of Children and Adults Services.

All written complaint responses will include details of how to contact the Local Government Ombudsman.

The Board Office will ensure that a record is kept of complaints received, responded to and those referred to partner agencies. Complaints and copies of responses will be securely retained in accordance with the principles of data protection legislation.

## **Escalation**

The Board seeks to promote challenge between agencies to ensure continuous improvement in the safeguarding arrangements across Nottingham. In the usual course of Board business partner agencies are expected and encouraged to provide constructive challenge to each other.

Where a colleague in a partner agency wishes to raise a concern about a Board Process, they should escalate to their Board Member in the first instance, who will decide whether it can be addressed within their agency. Where the Board Member of a partner agency wishes to escalate concerns about a Board process these should be raised with the Board Business Manager in the first instance. The Board Business Manager will send a written response to the Board Member who raised the concern. (For partner agencies who are not members of the Board, concerns should be escalated to their safeguarding lead to raise with the Board Manager).

If the concern remains unresolved, the Board Member should escalate the concern to the Independent Chair who will act as final arbiter.

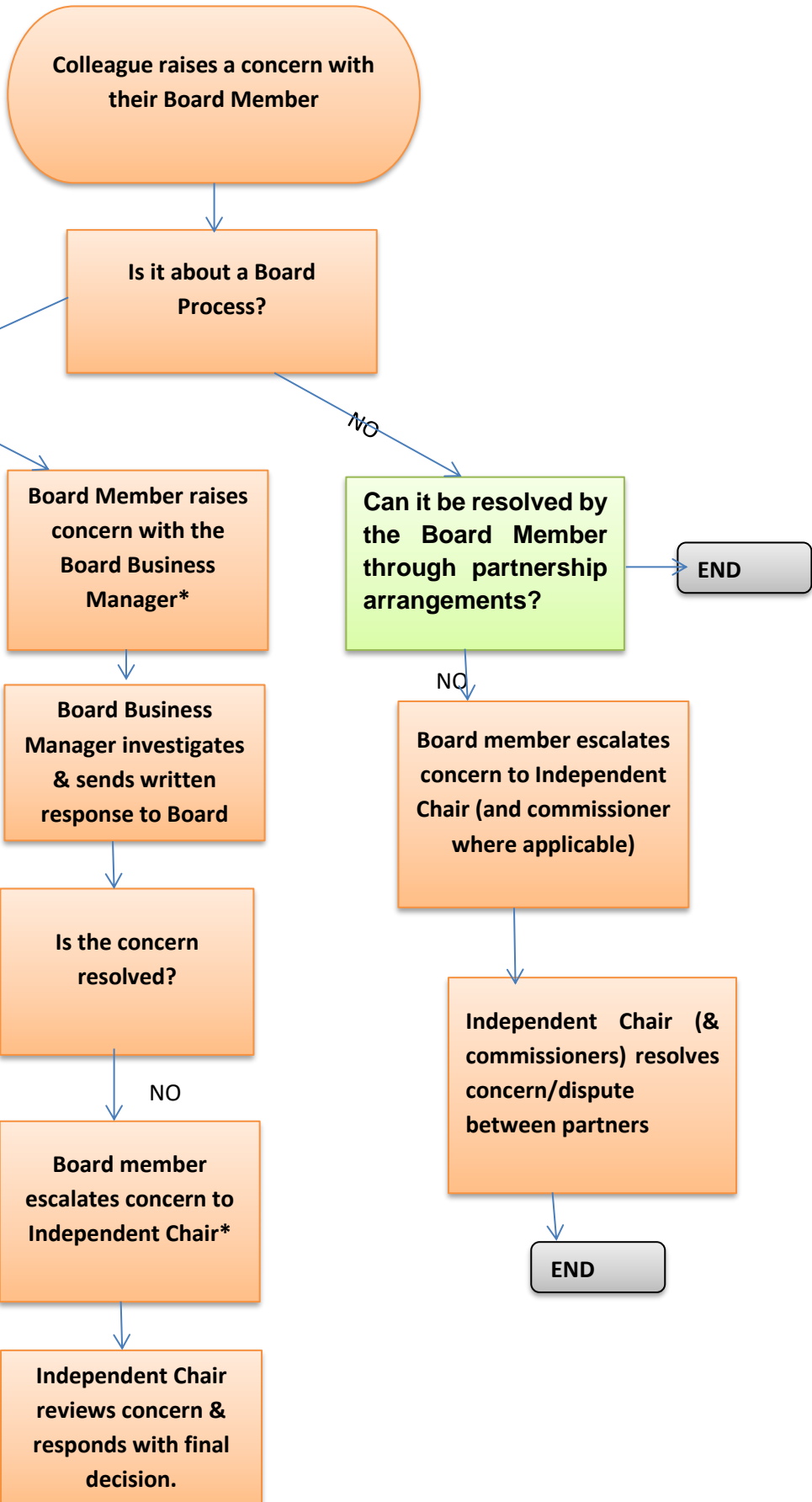
There may be exceptional circumstances in which partner agencies have concerns about another partner, in relation to Adult Safeguarding which cannot constructively be raised through the existing structures of the sub-groups, Board and BMG.

In these circumstances colleagues should escalate concerns to their Board Member. The Board Member will then decide whether this is a matter which can be resolved through existing partnership arrangements, or whether to escalate to the Independent Chair. This will depend on whether other partner agencies are involved or if the concern is likely to impact on other organisations or partnerships.

Where concerns are escalated which relate to a commissioned service (including health providers) the Board Member and/or Independent Chair should involve the relevant commissioner.

# Board Escalation Process

Key	
	Board Escalation
	Partner Response
	Board Complaint
	Statutory Process
	End



*\*Where the concern is about the Board manager, this should be raised with the HoS and/or DASS. If the concern is about the Independent Chair, this should be raised with the Corporate Director*



# NCSAB Complaints Process

