

**FN SAFEGUARDING
PEOPLE PARTNERSHIP
Constitution 2020**

**DRAFT V1
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Title

FN Safeguarding People Partnership (FNSPP) is the accountable strategic group for ensuring the existence of local robust safeguarding arrangements for the most vulnerable and at risk people in FN in the situations defined in legislations. FN Safeguarding People Partnership (FNSPP) shall be known as the 'Partnership' or FNSPP throughout this document.

Purpose

To protect those adults who are vulnerable and at risk, as defined in and as a response to:

- The Care Act 2014 and Statutory Guidance

To ensure appropriate safeguards are in place for adults who lack capacity in order to promote their rights, as laid down in The Mental Capacity Act (MCA) 2005 and the Deprivation of Liberty Safeguards (DoLS) 2007.

To coordinate what is done by each person or organisation represented on the Partnership for the purposes of safeguarding and promoting the welfare of adults with care and support needs at risk in FN - and making sure that what they do is effective, and improves quality of life.

Objectives

- To establish an environment in which effective multi-agency safeguarding practices can flourish
- To ensure that all agencies work together for the purpose of improving local safeguarding arrangements and promoting the welfare of children and adults with care and support needs, or at risk in FN and ensure the effectiveness of that work.
- To ensure clear leadership and accountability structures are in place and visible across all agencies and organisations represented on the Partnership.
- To ensure that effective safeguarding includes both a preventative and protective focus, and that its work is informed by those who have experienced, or may be at risk of harm and abuse.
- To ensure the Partnership learn from experiences and continuously seek to develop and further strengthen existing practice and arrangements

Whilst the Partnership have a role in coordinating and ensuring the effectiveness of work being done by local individuals and organisations in relation to safeguarding and promoting the welfare of adults with care and support needs, or at risk, it is not accountable for their operational work.

Functions

Each Partnership Partner has their own existing lines of accountability for safeguarding and promoting the welfare of children and adults within their respective agency/organisation. The Partnership does not have the power to direct other organisations.

The Partnership have overall governance of the policy, practice and implementation for multi-agency safeguarding arrangements. This includes:

- a) To lead and promote the responsibility for safeguarding across all agencies and stakeholders.
- b) To ensure the role, responsibility, authority and accountability with regard to the action each agency and professional group should take contributes to the protection of children and adults with care and support needs, or at risk.
- c) To quality assure safeguarding standards across the partnership and hold agencies, relevant partners and other strategic boards to account for safeguarding activities.
- d) To commission regular policy reviews and amendments in response to relevant local, regional and national changes.
- e) To ensure that matters of diversity and equality are inclusive within all safeguarding work and to 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.
- f) To identify types of circumstances giving grounds for concern and when they should be considered as a request for service/referral to the local authority as an enquiry, including referral pathways and thresholds for intervention.
- g) To ensure that matters of mental capacity are addressed appropriately within all adult safeguarding work.
- h) To be responsible for ensuring appropriate and up to date sharing of information protocols are in place across key partner organisations.
- i) To formulate guidance about the arrangements for managing safeguarding, and dealing with complaints, grievances and professional and administrative malpractice in relation to safeguarding.
- j) To ensure that there are systems in place for learning from local, regional and national experience and research, and that any lessons learned are applied to practice and policy development.
- k) Monitor data, outcomes and trends, and ensure action is taken to address identified concerns.
- l) Participate in planning and commissioning of adult/children's services to ensure that safeguarding children and adults with care and support needs at risk is of primary consideration.
- m) Work collaboratively with other strategic partnerships boards across Dudley.
- n) Co-operate with neighbouring Adult Services authorities and their Safeguarding partnership Boards and arrangements.
- o) To undertake adult safeguarding reviews.
- p) Agree and publish a Strategic Plan setting out how the Partnership purpose and objectives will be realised.
- q) Publish an annual report detailing how the Partnership business has been delivered during the previous year, and the ways in which the Partnership

intends to develop its services and initiatives to further enhance arrangements for the benefit of children and adults with care and support needs at risk in North & West Northamptonshire

- r) Closely monitor the activities of the groups mandated to oversee elements of the statutory and legislative functions for adult safeguarding duties, taking swift and prompt actions to remedy any identified areas for improvements.
- s) The Partnership will undertake or engage in other activities that facilitate or are conducive to safeguarding activities to achieve its objectives.

The objectives will be achieved through ensuring the following functions are in place:

- a) Robust local Multi-Agency Policies and Procedures for Safeguarding Adults, Mental Capacity Act and Deprivation of Liberty Safeguards that are in accordance with statutory requirements and the Children's Act 2004.
- b) Single and multi-agency training is provided on safeguarding and promoting welfare and that this meets the required standards and is appropriate to the needs of the identified/relevant staff.
- c) Adult independent reviews are appropriately resourced, co-ordinated and supported and that the Partnership is sighted and advising on lessons to be learnt.
- d) Safeguarding is integrated into all contractual arrangements.
- e) Performance management systems follow the journey of the person who is using the service, record and indicate the potential for vulnerability & intervention.
- f) Audit, quality assurance and self-assessments are carried out in a scheduled and timely manner
- g) There are comprehensive accessible public information and advice about keeping safe and what constitutes abuse of adults with care and support needs at risk.
- h) There is a process in place that ensures adults with care and support needs at risk, carers and families are consulted with and their views are taken into account.
- i) Safe Recruitment processes are in place across partnership organisations

Membership

The Partnership shall be composed of:

- Independent Chair
- Director/s of Adult Services on behalf of Local Authority Chief Executive
- Neighbourhood Policing Unit Commander on behalf of East Midlands Chief Constable
- CCG Chief Nurse on behalf of the Accountable Officer
- Safeguarding Partnership Business Manager
- *To include other local partners as appropriate*
- *There is the potential to expand the Board to encompass Community Safety*

In addition to the above membership, the Partnership will secure the involvement of other relevant senior officers & organisations, either by inviting them to be representatives of its themed groups, any of the sub-groups, through invitation for

specific issues for discussion of a Partnership meeting or through some other mechanism.

Members will be required to sign a Memorandum of Understanding (Appendix 1 page 13/14)

NOTE: the Partnership recognises that some of its members may not have clear accountability frameworks for the groups they represent, e.g. the representative for the voluntary sector representatives etc. In this case the expectation will be that they communicate effectively within/across their organisations/services the decisions made and the work of the Partnership.

Chair & Vice Chair

The Partnership will have an Independent Chair who will assist the key statutory partners to hold agencies to account and to provide leadership, strategic vision and to ensure that there is appropriate transparency and scrutiny across the partnership. The Chief Executive together with the key safeguarding Partners will hold the Chair to account for the effective working of the Partnership in consultation with the nominated relevant Partnership members.

The Board will agree a nominated lead officer from the Partnership to chair the Board if the Independent Chair is absent. This will be formally agreed by the Board. If an Independent Chair is going to be absent for any length of time then a Vice Chair would be considered by the Partnership.

It is acknowledged by all members of the Partnership that the ultimate responsibility for safeguarding arrangements for adults is led by the Local authority, in consultation with partners.

Frequency of meetings

The Partnership will meet bi-monthly and will adopt the financial year April 1st to March 31st.

There may be exceptional circumstances that arise that require Partnership members to meet in between the scheduled programmed meetings, for example; if a failure to protect adults at risk has led to significant abuse or even deaths that could result in wide negative political and media interest across the partnership of the Partnership. Therefore additional meetings may be convened if required by the key statutory partners and the Independent Chair.

Minutes of each meeting will be prepared and submitted to the Chair for approval following each meeting. Approved minutes of meetings will be entered as a permanent record only after being approved by Partnership members.

Quoracy & Voting

A quorum of the Partnership shall be with at least the three key statutory partners being in attendance and the Chair, or Vice/nominated Chair. Interim decisions can be made and then validated electronically with all members following the meeting. If at any time there is not a quorum present, the meeting shall not proceed.

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, i.e. those with signed memberships.

No organisation shall exercise more than one vote and in the case of equity of votes, the Chair shall have the casting vote.

The Chair (or, in the absence of the Chair, the Vice Chair), in consultation with 3 statutory agencies, shall decide any issue which requires a decision by the Partnership between meetings if it does not (in the opinion of the 3 statutory agencies and the Chair), require a special meeting to be convened. The decision will be reported and submitted for ratification to the next meeting of the Partnership. The Partnership may delegate such of its functions as it considers appropriate to any of its groups, the sub-groups and/or task specific/theme specific groups.

Monitoring of Attendance

Attendance at meetings is recorded and reported at Partnership meetings. In the event of one member's persistent non-attendance, the Chair will write to Chief Executive of the organisation to address the concern and reach a resolution.

Confidentiality

The Partnership is committed to transparency and information discussed at Partnership meetings must balance the need to maintain confidentiality of personal and sensitive information with the requirement to share information on a "need to know basis", when it is necessary to safeguard children and adults (with care and support needs), from abuse and neglect.

Under S45 of the Care Act 2014 a person or body is required to comply with requests for information that are made to safeguard adults. This request for information will only be made when the information is essential to carry out the statutory functions.

Notice of Leaving

In the event of a member no longer representing their agency, reasonable notice should be given to the Chair so that a replacement can be identified.

Responsibilities of Partnership Members

- a) Carry out a strategic role in relation to safeguarding and promoting the independence, wellbeing and safety of vulnerable adults
- b) Have the authority to speak on behalf of their organisation to represent its views and various duties.
- c) Refer back to their organisation to account on all matters relating to safeguarding adults with care and support needs at risk and to recommend ways to implement necessary changes within their organisation.

- d) Be able to request their organisation deploys resources to support safeguarding adults work by the allocation of financial or human resources to directly support the achievement of the Partnership agreed objectives.
- e) Partnership members will ensure that the safety and wellbeing of adults with care and support needs at risk is promoted within services provided by their organisation.
- f) Members will agree to develop their knowledge and understanding of safeguarding in order to keep up to date and to share this expertise within the Partnership and their own organisations, in particular that agreed policies, procedures and findings from all safeguarding reviews are appropriately cascaded through their organisations.
- g) Partnership Members have a duty of candour by proactively bringing to the attention of the Partnership matters of high risk at the earliest opportunity.

Expectations of Partnership Members

Members will attend all meetings and if unable to, they will send a consistent individual as their nominated deputy who is able to act with the same level of authority, and decision making.

Members will ensure that staff and volunteers within their organisation are kept fully informed of the Partnerships work.

Members will contribute to the work of adult themed groups established as FN Safeguarding Partnership Board

Members will nominate representatives to participate to the wider activities of the Partnership as mandated to and the relevant sub-groups, in the interests of vulnerable adults with care and support needs at risk.

Declaration/Conflict of Interest

If at any time a Partnership Member has an interest in any matter being considered by the Partnership, he/she shall declare the existence and nature of that interest in writing to the Independent Chair.

Declarations of interest will be recorded and steps taken to ensure the individual concerned has no involvement in decision-making or consequent action in relation to the matter in question.

The Chair will inform members of all declarations at the start of each meeting as a standing item on all Partnership agendas.

Accountability

The Partnership will form a view of the quality of safeguarding in FN, challenge organisations when necessary and have an independent, decision making voice. The Partnership will be consulted on issues that affect safeguarding promoting the welfare of vulnerable adults with care and support needs at risk.

The local Scrutiny Committee is one of the critical checks and balances to hold the Partnership to account for the effectiveness of the safeguarding arrangements and

can make specific request for reports to be presented at any of its meeting in respect of safeguarding activity and performance.

Elected Members, through their membership of governance bodies such as the Cabinet and/or Scrutiny Committee, hold the Local Authority and its officers to account for their contribution to the effective functioning of the Partnership.

The Independent Chair will be held to account for the effective working of the Partnership by the Chief Executive of the Local Authority, drawing on other Partnership partners who are participating in the Partnership's activities.

In order to provide effective scrutiny, FNSPP 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 promoting the welfare of vulnerable adults with care and support needs at risk by their services.

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

The Partnership will produce an annual report to be deliberated by all agencies, the Chief Executive, Leader of the Council, the local police and crime commissioner, the Director of Nursing and the Chair of the Health and Wellbeing Board.

The strategic plan for the Partnership must be developed with the involvement of people who use the service, including Healthwatch, FNVSC and other voluntary/community/faith organisations, and shared with the Health & Well Being Board.

The Partnership must ensure FNSAB conduct Safeguarding Adults Reviews in accordance with Section 44 of the Care Act 2014

FNSPP will decide how each group operate but they must ensure that the arrangements will be able to deliver the duties and functions as scheduled.

Disputes and Complaints

The Partnership intends to be a collaborative, co-operative body and needs to ensure that no particular sector or member is unduly favoured.

Disputes: If there is a dispute between Partnership members, the Independent Chair will convene a joint meeting with the parties. This should take place within 28 days of the determining that the dispute exists. In most cases the Independent Chair will chair these meetings. The agenda will be agreed jointly by the parties in dispute.

Complaints: The Partnership shall refer all complaints from members of the public in relation to the provision or performance of any function of a member organisation to the Partnership Partner's own internal complaints handling process.

Complaints regarding the operation of a Partnership should be addressed to the Chair who will investigate and attempt to reach satisfactory resolution with the complainant.

Finances and Resources

The financial year will run from 1st April to the 31st March.

The Partnership must be adequately resourced and funded in order to deliver a level of services which effectively safeguard adults at risk in FN and continue to develop the infrastructure required to facilitate this.

Organisations represented on the Partnership should have an identified Safeguarding Adults lead role who will contribute to the Partnership meeting its key objectives.

The Partnership have an ambition to have both sufficient financial and other resource contributions at an agreed level, having regard to the differing size, resources and responsibilities of each agency. Individual agencies will consider options within their future budgetary planning cycles to address this.

The Partnership will agree an annual combined budget for each forthcoming financial year.

Management of FNSAB Working Subgroups

The adult groups are charged with assisting the Partnership in setting strategic and operational priorities and overseeing and monitoring the Sub-Groups and the implementation of the Strategic Business Plan.

The themed groups will oversee the operational statutory functions on behalf of the Partnership, with its members consisting of:

The FNSAB are those agencies as laid out in the Care Act 2014 s14.116 & 14.117. Members must have the authority to speak on behalf of their organisation to represent its views and various duties and to make decisions on their agencies behalf.

The adult specific group will scrutinise data in relation to trend analysis, gaps and learning and will inform the Partnership of areas of good practice and areas for improvement.

The groups will ensure there are appropriate links and alignments between the Partnership and other statutory and non-statutory and voluntary organisations.

If the Partnership includes Community Safety then consideration to be given to any specific performance and quality monitoring requirements as part of the sub group framework

Sub Groups

The Partnership will also instate sub groups which will carry out the day to day operational functions of the Partnership. All sub groups will have an annual work plan which will derive from the Partnership's annual business plan to support the operational functions of the Partnership.

Chairs of Sub-Groups will be nominated by Members of the Partnership and will be members of FNSAB in order to ensure a link and effective communication and feedback to the Partnership.

The Sub-Groups will report in to FNSAB at each meeting to evaluate their progress against the Business Plan and address any issues arising from the Sub Group work, and will be invited to attend FNSPP on exceptions.

Each Sub Group will review its Terms of Reference on an annual basis at the first meeting of each financial year following a formal consultation process with the sub group members.

The Partnership will have oversight of each Sub-Group's Terms of Reference at their first meeting of each financial year;

The Partnership will delegate powers to the sub-groups to:-

- a) Carry out any work related to the different sections of the Business Plan;
- b) Undertake consultation as appropriate;
- c) Take a decision in reference to a specific item on behalf of the Partnership where authority to do so has been delegated by the Partnership;
- d) Prepare a response to consultation matters on behalf of the Partnership;
- e) Investigate a particular issue;
- f) Publish material on behalf of the Partnership; and
- g) Discharge any functions delegated to it from the Partnership.

Review of Constitution

The Constitution will be reviewed annually by the Partnership.

FN SAFEGUARDING PEOPLE PARTNERSHIP MEMORANDUM OF UNDERSTANDING

Name of Individual

Employed By

Job Title

As a member of the Partnership, I will abide by the standards set out in the FN Safeguarding People Partnership Constitution and also:

- I agree to carry out a strategic role in relation to safeguarding and promoting the independence, wellbeing and safety of adults with care and support needs experiencing or at risk of abuse or neglect.
- I have the authority to speak on behalf of my organisation to represent its views and various duties.
- I am able to refer back to my organisation to account on all matters relating to safeguarding adults at risk and to recommend ways to implement necessary changes within my organisation.
- I am able to request my organisation deploys resources to support safeguarding adults at risk work by the allocation of financial or human resources to directly support the achievement of the safeguarding Partnerships agreed objectives.
- I will ensure that the safety and wellbeing of adults with care and support needs experiencing or at risk of abuse or neglect is promoted within services provided by my organisation.
- I agree to develop my knowledge and understanding of safeguarding in order to keep up to date and to share this expertise within the Partnership and my own organisation.

I will contribute to the effective functioning of the Safeguarding Partnership by:

- Attending all meetings and if unable to attend, I will send a nominated deputy who will be able to act with the same level of authority
- Ensuring that staff and volunteers within my organisation are kept fully informed of the Partnership's work, communications and decisions made.
- Representing the interests of adults at risk and safeguarding on other committees that I am a member of.
- Contributing to the work of the sub-groups by identifying and mandating appropriate delegates from my own organisation and ensuring that they keep me informed as appropriate.

<i>Director of Adult Services on behalf of Local Authority Chief Executive</i>	
Name	
Signature	
Date	

<i>FN Neighbourhood Policing Unit Commander on behalf of East Midlands Chief Constable</i>	
Name	
Signature	
Date	

<i>FN CCG Chief Nurse on behalf of the Accountable Officer</i>	
Name	
Signature	
Date	

<i>Safeguarding Partnership System Lead</i>	
Name	
Signature	
Date	

<i>Accepted on behalf of FN Safeguarding People Partnership Independent Chair</i>	
Name	
Signature	
Date	

VERSION CONTROL

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