



Constitution, City of York Safeguarding Adults Board

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1. Title

The Board shall be known as the City of York Safeguarding Adults Board, hereafter the CoYSAB or the Board.

2. Core duties

The Board has three core duties under the Care Act 2014:

2.1. It must publish a strategic plan for each financial year that sets out how it will meet its main objectives and what the members will do to achieve this.

2.2 It must publish an annual report detailing what the SAB has done during the year to achieve its main objectives and implement its strategic plan.

2.3 It must conduct any Safeguarding Adults Reviews (SARs) in accordance with Section 44 of the Care Act 2014.

3. Purpose

The SAB has a strategic role that is greater than the sum of the operational duties of the core partners. It will oversee and lead adult safeguarding across the locality and will be interested in a range of matters that contribute to the prevention of abuse and neglect. These will include the safety of patients in local health services, quality of local care and support services and effectiveness of prisons and approved premises in safeguarding offenders.

4. Terms of reference

The CoYSAB is the strategic multi-agency lead body in the City of York for the protection of vulnerable adults. The Board will hold partner agencies to account through scrutiny and governance using the strategic plan and annual action plans. The COYSAB will have lead responsibility for:

- Ensuring current safeguarding adults arrangements across the agencies are fit for purpose.
- Overseeing the development and publishing of core multi-agency policies, guidelines and protocols for the safeguarding of vulnerable adults in York, initiating reviews as required; and ensuring all agencies have local guidelines.
- Communicating and publishing relevant information to ensure all agencies, service users, carers and the general public are informed about issues and best practice.
- Scrutinising the incidence of abuse of vulnerable adults in York and initiating review of cases where appropriate
- Ensuring a competent local workforce, paid or volunteer through the provision of relevant training and workforce development.

- Ensuring stakeholder views are included in the development of safeguarding services and commissioning arrangements, with particular reference to vulnerable people and their families.
- A three-year strategic plan which sets out key actions which will help secure the safety and well-being of vulnerable adults in the City of York.
- Producing an annual report on the strategic action plan, including outcomes and future actions.

5. Achievement of Board's terms of reference

The Board's terms of reference will be achieved through ensuring the following functions are in place:

- Robust local Multi-Agency Policies and Procedures for Safeguarding Adults, and for Mental Capacity Act and Deprivation of Liberty Safeguards in accordance with statutory requirements.
- 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 relevant staff.
- Safeguarding Adult Reviews (SARs) are appropriately resourced, co-ordinated and supported.
- SARs will be undertaken where a vulnerable adult has died or has been seriously harmed in circumstances where abuse or neglect is known or suspected, in accordance with the agreed Board Procedure for Review of Serious Safeguarding Adults Cases.
- Advising on lessons that can be learned, in accordance with the agreed Board Procedure for Review of Serious Safeguarding Adults Cases.
- Safeguarding is integrated into all safeguarding arrangements.
- Performance management systems record and indicate the potential for vulnerability and intervention.
- Audit and self-assessments are carried out.
- There is comprehensive accessible public information and advice about keeping safe and what constitutes abuse of vulnerable adults/children.
- There is a process in place that ensures vulnerable adults/children, carers and families are consulted with and their views are taken into account.
- Safe Recruitment processes are in place across partnership organisations.

6. Board Membership

The Board shall be composed of senior officers nominated by each member agency. Members representing individual agencies must have sufficient delegated authority to effectively represent their agency and to make decisions on their agency's behalf.

In accordance with the Care Act 2014, the following agencies and organisations must be represented on the Board:

- City of York Council
- North Yorkshire Police

- Vale of York Clinical Commissioning Group

The Board will also seek membership from a range of other local organisations, including:

- NHS (operational and commissioning)
- Healthwatch York
- Independent and private sector
- Voluntary sector

Individual Board members will be required to sign a Memorandum of Understanding (see Appendix 1).

7. Chair and Vice Chair of the Board

7.1 The chair of CoYSAB will be an independent person with the required skills and experience who will be responsible for ensuring the Board works effectively and independently. The Independent Chair's job description (see Appendix 1) must be agreed with the City of York Council on appointment and the post holder must be subject to at least annual performance review.

7.2 A vice chair of the Board shall be nominated and appointed by the CoYSAB. (At the December 2014 Board meeting this was unanimously agreed to be Guy van Dichele as interim Director of Adult Services).

8. Board members' roles and responsibilities.

- Members should have the authority to speak on behalf of their organisation to represent its views and various duties and have a responsibility to contribute positively to the work of the Board
- The CoYSAB member will be expected to attend the quarterly meetings and any relevant subgroups of the Board and if unable to attend will identify a suitably senior deputy with decision making capacity
- It will be the responsibility of each member to cascade relevant information from the Board within their agency/organisation and to provide feedback from their agency with regard to organisational safeguarding activity to the Board.
- Members will ensure that any issue requiring consideration by the Serious Case Review subgroup, (as per Procedure for Review of Serious Safeguarding Adults Cases) will be brought to the attention of the CoYSAB Chair as soon as is reasonably practicable.
- 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 sourced.
- 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 Board and their own organisations
- Members will ensure that findings from Serious Case Reviews and Lessons Learned are appropriately cascaded through their organisations

9. Conduct of meetings

- 9.1 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.
- 9.2 No organisation shall exercise more than one vote and in the case of equity of votes the Independent Chair shall have the casting vote.
- 9.3 The Chair (or, in the absence of the Chair, the Vice Chair), in consultation with 4 separate agencies, 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. The decision will be reported and submitted for ratification to the next meeting of the Boards.
- 9.4 The Board may delegate such of its functions as it considers appropriate to sub-groups and/or task specific working groups.

10. 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 Board's Annual Report. In the event of one member's persistent non-attendance, the Independent Chair will write to Chief Executive of the organisation concerned to bring this to their attention.

11. Confidentiality

All agenda, minutes and other documentation shall be treated as confidential and can only be shared with the agreement of the Independent Chair. Board members shall keep confidential any information obtained as a result of inter-agency co-operation save to the extent that disclosure of the information is necessary in order to discharge the functions of the Board.

12. Declarations of Interest

- 12.1 If at any time a Board Member has a pecuniary or other potentially prejudicial interest in any matter being considered by the Board, they should declare the existence and nature of that interest as set out in the CoYSAB Register of Interest Policy (see Appendix 3).
- 12.2 Declarations of interest will be recorded and action taken by the Chair to ensure the individual concerned has no involvement in decision-making or consequent action in relation to the matter in question.
- 12.3 The Declaration of Interest will be a standing item on all Board agendas.

13. Accountability

- 13.1 The Safeguarding Adults Board will present its annual report to the Health and Well Being Board of City of York Council and work in partnership with other bodies, including the Community Safety Partnership, the Children's Safeguarding Board and the Overview and Scrutiny Committee.
- 13.2 The Board will form a view of the quality of safeguarding in the City of York, challenge organisations when necessary and have an independent voice.
- 13.3 In order to provide effective scrutiny, the CoYSAB 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 and children by their services.
- 13.4 The responsibility of the Board is to co-ordinate and challenge local organisations' safeguarding work. It is not accountable for operational work.
- 13.5 The City of York Health and Well Being Board is one of the critical checks and balances to hold SABs to account. The CoYSAB and the Independent Chair are accountable and subject to the Council's arrangements for proper scrutiny of their performance.
- 13.6 Elected Members, through their membership of governance bodies such as the Cabinet or Overview & Scrutiny Committee, hold the Local Authority and its officers to account for their contribution to the effective functioning of the Boards.
- 13.7 The City of York Overview and Scrutiny Committee may request advice and information from the Independent Chair and/or Board as it sees fit.

14. Finances and Resources

- 14.1 The City of York Council, North Yorkshire Police and the Vale of York Clinical Commissioning Group, as core partners under the Care Act 2014, are obligated to contribute annually towards resources for the CoYSAB at an agreed level, having regard to the differing size, resources and responsibilities of each agency. The resources for the CoYSAB will include a virtual allocation to be available in the event of an SAR being necessary.
- 14.2 The financial year will run from 1st April to the 31st March each year. City of York Council will administer the budget on behalf of the Board.
- 14.3 The Director of Adult Services will have the authority to act as the Board's budget holder for the authorisation of payments and will delegate decision making on the use of the budget to the Independent Chair.

15. Review of constitution

The CoYSAB constitution will be reviewed annually by the Board and any suggested amendments will be put to the subsequent CoYSAB meeting

Appendix 1:



JOB DESCRIPTION OF THE INDEPENDENT CHAIR

1. Role of the Chairperson

To ensure that the City of York Safeguarding Adults Board (CYSAB) operates effectively and that organisations collaborate successfully to co-ordinate and promote the safeguarding agenda as set out in the Care Act 2014. The Independent Chair is expected to hold the Council and partners to account

- 1.1 The CYSAB Chair should work closely with all CYSAB partners and particularly with the Director of Adult's Services. The Director of Adult's Services has the responsibility within the local authority, under the Care Act 2014 to ensure outcomes for improving the health and wellbeing of adults, local authority adult's social care functions and local cooperation arrangements for adult's services.
- 1.2 To chair the Local Safeguarding Adult Board meetings would include:
 - Agenda planning and preparation for board meetings
 - To attend regular meetings and provide progress reports to the Chief Executive, DASS and Wellbeing Boards,
 - Checking and approving the minutes of the CYSAB
 - Development, approval and delivery to the CYSAB work plan
- 1.3 To work with the officers nominated by the Chief Executive and the Board Business manager to ensure that key issues and national developments are brought to the attention of and considered by the Local Safeguarding Adults Board
- 1.4 To notify the Chief Executive of any concerns in relation to the Board partners co-operation.
- 1.5 The Chair must publish an annual report on the effectiveness of adult safeguarding and promoting the welfare of vulnerable adults in the local area. The annual report should be published in relation to the preceding financial year and should fit with local agencies' planning, commissioning and budget cycles. The report should be submitted to the Chief Executive, Leader of the Council, the local Police and Crime Commissioner and the Chair of the Health and Wellbeing Board.
- 1.6 The report should provide a rigorous and transparent assessment of the performance and effectiveness of local services. It should identify areas of weakness, the causes of those weaknesses and the action being taken to address them as well as other proposals for action. The report should include lessons from reviews undertaken within the reporting period.

- 1.7 The report should also list the contributions made to the CYSAB by partner agencies and details of what the CYSAB has spent, including on Serious Case Reviews and other specific expenditure such as learning events or training.
- 1.8 To assist in discussions on the CYSAB budget.
- 1.9 To review the membership of the CYSAB and ensure that it is both representative and effective.
- 1.10 To respect confidentiality of sensitive information provided by the constituent agencies of the CYSAB.
- 1.11 To contribute to the continuous development of the CYSAB and its members.
- 1.12 To investigate and attempt to resolve any disputes and complaints relating to the work of the board between Board Members/partner agencies.
- 1.13 To investigate and attempt to resolve any issues of non-compliance with the duties and responsibilities of the CYSAB.
- 1.14 To keep up to date with relevant literature, legislation and developments in the Safeguarding Arena.
- 1.15 To be accessible to CYSAB members and the Director of Adult Services by telephone, e-mail or in person between meetings or by prior arrangement.
- 1.16 Ensuring that the CYSAB sub groups deliver to an agreed work plan.
- 1.17 To maintain oversight of the Domestic Violence strategy forum from an adults perspective.
- 1.18 To maintain oversight of the Deprivation of Liberty work as part of the safeguarding performance framework.

Appendix 2:



MEMORANDUM OF UNDERSTANDING

Name of Individual:

Employed By:

Job Title:

As a member of the Board, I will abide by the standards set out in the City of York Safeguarding Adults Board Constitution. In addition:

- I agree to carry out a strategic role in relation to safeguarding and promoting the independence, wellbeing and safety of vulnerable adults.
- 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 vulnerable adults and to recommend ways to implement necessary changes within my organisation.
- I am able to request my organisation deploys resources to support safeguarding adults work by the allocation of financial or human resources to directly support the achievement of the CoYSAB's agreed objectives.
- I will ensure that the safety and wellbeing of vulnerable adults 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 Board and my own organisation.

I will contribute to the effective functioning of the Safeguarding Boards 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 Board's work.

- 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>Signed by individual Board member</i>	
<i>Signed by Chief Executive of organisation</i>	
<i>Name of organisation</i>	
<i>Date</i>	
<i>Accepted on behalf of the CoYSAB by the Chair's signature</i>	
<i>Date</i>	

Appendix 3



Register of Interest Policy

1. Introduction

The Chair, together with all Board members, both individually and collectively, share responsibility for the successful operation of the Safeguarding Adults Boards and determination of issues for consideration before them. The aim of this policy is to:

- Recognise that Independent Chairs and Board Members bring a wealth of experience that adds value and expertise which should not be inhibited.
- Enable any potential conflicts to be identified and managed in a proportionate way without getting in the way of the effective operation of the Safeguarding Adults Board.
- Promote transparency around Chair and Board Member personal or professional interests, memberships, current and previous organisational roles and relationships.
- Ensure that all decisions made by the Safeguarding Adults Board and discussion of issues before them are and can be seen to be free from any vested interests and any risk of actual or perceived bias resolved.

2. Purpose

The Register of Interests Policy is a requirement which applies to members of the CoYSAB. All members are expected to act in the best interests of the Board at all times. It is a requirement that chairs and all board members should declare any conflict of interest that arises in the course of conducting Board business. The Board will maintain a register of member's interest to avoid any danger of Board members being influenced, or appearing to be influenced by their private interest in the exercise of their duties.

3. Underlying Principles

The Chair and Board members are expected to demonstrate a commitment to and understanding of the Nolan Principles of Public Life:

- Selflessness; Integrity; Objectivity; Selflessness; Integrity; Objectivity; Accountability; Openness; Honesty; and Leadership

4. Register of Interests

A register of interests will be maintained. Chairs and Board Members will be required to register their interests on appointment using a standard form and in addition to any declaration made to their own organisation. This should be updated as needed.

Details of interests must be made in writing and sent to the Independent Chair who will record it in a register and acknowledge receipt of the declaration. The declaration must be made as soon as the Member is aware of the interest and/or the contract or proposed contract to which the interest relates.

The Chair and all Board Members should declare any interests at the outset of the Board meetings and whether there are any specific agenda items to which any declaration relates. All declarations must be recorded in the minutes

5. What to Declare

All board members are expected to declare any interests which may be perceived to influence their judgement. Interests that should be registered and declared include:

- Financial relationships such as a contract of employment, consultancy, shareholdings, or receipt of fees with an organisation or business.
- Working Relationships that may involve or appear to involve bias, gain or advantage in terms of institutional or professional reputation from a decision.
- Personal relationships where a partner, close relative or friend is involved in or may benefit from a matter under consideration or knowledge of it.
- Other potentially relevant interests such as political activities, membership of voluntary or other organisations or unpaid work.
- Board Members cannot be involved in the award, management or monitoring of contracts on behalf of, or for the CoYSAB in which they have an interest.

Declarations of Interest will be a standing CoYSAB agenda item. Personal direct and indirect financial interests should normally include such interests of close family members. Indirect financial interests arise from connections with bodies which have a direct financial interest or from being a business partner of or being employed by a person with such an interest.

A direct financial interest arises where a Member or their partner, family member or close friend has a financial interest in a contract or proposed contract whether to their advantage or disadvantage, in which the CoYSAB is involved. An indirect financial interest may arise where an employee or their nominee or employee's partner holds securities or shares in a company.

A non-financial interest may occur when a Member or their partner, family member or close friend has membership or association in a company, society, club or other

body, trade union or voluntary body, or is employed by another person or company which has direct financial interests in any matter which is the subject of discussions/negotiations with the CoYSAB. Members involved in the award, management or monitoring of contracts should declare any personal interest to their agency and decide whether such an interest is deemed personal and or prejudicial.

6. Specific declarations

There may be occasions where a conflict of interest would or would be likely to arise in relation to a specific matter before the Board which is not covered by declarations on the register. Such conflicts should be notified to the Chair without delay. The actual or perceived conflict will then be considered and a proposed approach agreed for determination at the meeting.

Where more than 50% of the members of a meeting are required to withdraw from a meeting or part of it, owing to the arrangements agreed for the management of conflicts of interests or potential conflicts of interests, the chair (or deputy) will determine whether or not the discussion can proceed. In making this decision the chair will consider whether the meeting is quorate, in accordance with the number and balance of membership set out in the CoYSAB's Constitution.

Where the meeting is not quorate, owing to the absence of certain members, the discussion will be deferred until such time as a quorum can be convened. Where a quorum cannot be convened from the membership of the meeting, owing to the conflicts of interest or potential conflicts of interests, the chair of the meeting shall postpone the meeting. This decision must be recorded in the minutes.

7. Action in Response to Board Member Declarations

There are three main courses of action available for use in proportion to the degree of actual or perceived risk of conflict, bias or undue influence that would or would be likely to arise. Following declaration they are:

Normal participation within the meeting, discussion or decision where the declared conflict is judged to be remote with little risk of direct impact or perceived bias and of which those present are by then fully aware.

Continued participation and contribution to discussion where the interest is non-pecuniary and/or has the potential to give rise to perceived bias or undue influence but to have no participation in the decision with the person asked to absent themselves from the meeting for that portion and to return only when concluded.

Withdrawal from the meeting, where there is a real or direct conflict of interest that would or would be likely to give rise to perceptions of bias, for consideration of the whole item on the agenda in question where the Board considers this appropriate.

The Chair would normally indicate the appropriate course to be taken.

8. Actions in response to Chair Declarations

Where the chair of any meeting of the CoYSAB has a personal interest, previously declared or otherwise, in relation to the scheduled or likely business of the meeting, they must make a declaration and the deputy chair will act as chair for the relevant part of the meeting. Where arrangements have been confirmed for the management of the conflict of interests or potential conflicts of interests in relation to the chair, the meeting must ensure these are followed. Where no arrangements have been confirmed, the deputy chair may require the chair to withdraw from the meeting or part of it. Where there is no deputy chair, the members of the meeting will select one.

9. Recording

Any declarations of interests, and arrangements agreed in any meeting of the CoYSAB will be recorded in the minutes.