

ROTHERHAM BOROUGH COUNCIL – REPORT TO MEMBERS

1	Meeting:	Cabinet Member for Adult Social Care
2	Date:	22 July 2013
3	Title:	Proposed Changes to the RSAB Structure, Governance and Operations
4	Directorate:	Neighbourhoods and Adult Services

5 Summary

The Rotherham Adult Safeguarding Board (RSAB) met on 8 May 2013 to review its function and identify improvements, as part of its commitment to continual improvement. Recent organisational changes in the NHS and the impending change in legislation arising from the Care and Support Bill requires Safeguarding Adults Boards (SAB's) to refresh and reframe the way they work. The legislative changes put Safeguarding Adults Boards onto a statutory footing, challenging partners to ensure that SAB's are given equivalence to Safeguarding Children's Boards in relation to seniority of membership. It is also essential that the Board takes a strategic approach to safeguarding adults, ensuring that the services that are delivered are effective, safe and capable of continual improvement, in line with national expectations and developments.

Reports following recent serious service failures such as Winterbourne View and the Mid-Staffs Hospital enquiry have set the expectation that Safeguarding Adults Boards should be able routinely to hold partner organisations to account. The Board needs to make a step change in its organisation, structure, governance and membership to enable this to happen effectively. This report outlines the outcome of the review and proposals for future development.

6 Recommendations

- **RSAB accepts and puts in place plans to implement the proposals outlined in this report including a review of board's Terms of Reference.**

7 Background Information

The Care and Support Bill (Clause 44) outlines some significant changes to Adult Safeguarding in relation to the role of the Safeguarding Adults Board and Serious Case Reviews.

By placing SAB's onto a statutory footing, the new legislation requires partner agencies, particularly local authorities, health services and the Police to review participation, engagement, governance, and accountability of SABs. There will be further changes to the Bill as it passes through Parliament but Clause 44 is anticipated to remain as currently drafted.

The impact of recent failures such as Winterbourne View and Mid Staffs bring into focus the need for SABs to be able to hold all partner agencies to account. In order to achieve this, Boards will need to have the right governance framework in place. In addition they require the right information and data on which to base judgement and action. There is an urgent need to explore the ways in which the board currently receives information, to ensure that early warning signals, whistle blowers, and soft commissioning intelligence is used effectively to prevent harm at the earliest stage – in effect, the board needs to have a zero tolerance of and awareness of abuse and the factors that lead to abuse.

As a result the Board and sub-groups urgently need to be refreshed to ensure that we are able to be legally compliant and prepared to accept these broader challenges. In particular the Board will need to be able to offer effective challenge, and scrutiny, in order to comply with the new standards.

The RSAB met on 8 May 2013 to review and refresh the vision, mission, strategic objectives, Governance Framework and Board structure. The event was well attended and successful in that a consensus was agreed for a range of changes that will support the Board to develop further as required by organisational and legal changes.

The findings from the self-assessment that was initiated by the Board in May 2013 will feed into the process of review, ensuring that the Board places an emphasis on continual improvement.

This report outlines each of the areas of change and sets out proposals to be agreed by Board. The Board recognised that, while it had been successful in implementing a range of improvements over the last 3 years, its focus has become increasingly operational in nature. The Operational sub-groups have become much less successful over the last year. There was insufficient separation between RSAB and sub-group business, resulting in repetition and a lack of challenge.

To this end it is proposed that the RSAB makes the following changes:-

7.1 Membership

Membership of the Board should be drawn from senior levels in the organisation that are represented. They should be able to represent at Board level in the organisation and be effective decision makers. The Board will meet quarterly.

Members should be:-

Chair	Pat Cantrill
Elected Member	Councillor John Doyle
NHS England	Margaret Kitchen (or rep)
Clinical Commissioning Group	Dr Russell Brynes (GP)
	Sue Cassin (Clinical Nurse Lead)
The Rotherham Foundation Trust	Juliet Greenwood (Chief Nurse)
RDASH	Chief Nurse
South Yorkshire Police	Pete Horner
RMBC, NAS	Shona McFarlane
Healthwatch	TBC
Voluntary Sector	Val Allen, SCOPE
RMBC, CYPS	Clair Pyper
RMBC, Commissioning	Janine Parkin
Care Quality Commissioner	Standing invitation - Regional Manager
RMBC, Public Health	John Radford

7.2 Meetings

It is essential that the sub-groups are refreshed, and it is proposed that there is a task and finish group initiated to undertake a review of the existing activities, resulting in a report to RSAB regarding how the new sub-groups should operate. Each should have effective Terms of Reference, and a work plan. Sub-groups should be able to receive information and seek assurance from partners using a wider range of methodology than at present. The Board will require wider information and better analysis than received at present on which to base actions, judgements and challenge and it is a key role for the sub-groups to acquire, analyse and present this information.

A step change is required in the ability of sub-groups to hold partners to account for the rigour and quality of their assurance mechanisms for example, how organisations ensure that the workforce is trained,

supervised and supported to achieve good safeguarding practice. Work is required on how this information can be provided in the Board in meaningful ways, to ensure that the Board can deliver on its commitment to continual improvement. The Board needs to put in place the conditions, systems and practice that assures the Board that the commissioning, contracting, assurance and operational delivery of services are safe, both in respect of safeguarding practice and operational delivery.

The Care and Support Bill also establishes case reviews as statutory for adult services for the first time. This requires the Board to be able to act as an independent body, able to use tools and methodologies to review, undertaken case reviews, lessons learned approaches and also build on good practice and effective performance. Boards will themselves be held to account for their ability to hold each other to account. This will require a rigour, independence and commitment to improvement from all partners.

The sub-groups should become more effective by giving them a focus and more responsibility to determine their work plan. The sub-groups should reflect the partnership better, through attendance and chairing responsibility, and should be more empowered, using the experience and knowledge of all partners to determine the direction of travel of policy and operations across Rotherham. An initial review of the work of the sub-groups resulted in the following proposals:

It is proposed that there are three sub-groups each focussing on key areas. These groups will be more empowered than the current group and will be responsible for implementing plans against the RSAB strategy and holding partner agencies to account for their performance against agreed actions.

Membership will be agreed, and attendance will be monitored and reported to RSAB and within the action plan, to ensure that agencies are fulfilling their commitment to RSAB. It is the Board's intention that the sub-groups should be seen as delivering clear actions, making proposals for Board agreement.

The proposed sub-groups are:-

Prevent

- Vulnerable Adults
- MCA/DOLS
- Communication Strategy

Perform

- Workforce Development
- Quality Assurance
- Performance

- Annual Report

Innovate

- SCR Toolkit Review
- Response to Care and Support Bill
- SCRs and Lessons Learned – develop a suite of approaches including the ability of the board to act as a ‘Select Commission’ to deliver a short sharp review of critical incidents/issues/Serious Incidents
- Governance

Further work is required on defining and agreeing the content and focus of sub-groups, to ensure that they address key issues within Safeguarding Adults.

It is proposed that the RSAB appoint Chairs from a range of member agencies and that Chairs are given responsibility for ensuring that each sub-group has:-

- Clarity on which elements of the strategy it is delivering against.
- Agreed and committed membership.
- A clear action plan and forward plan.

7.3 Strategic Aims

The RSAB agreed a refreshed set of strategic aims, vision and mission for the Board. It is proposed that these are accepted. See attached strategic aims, vision and mission, in Appendix 1.

7.4 Governance

The Board has agreed that its focus should be on the following:-

- Holding organisations to account for their Safeguarding practice.
- Ensuring that the Board’s strategic aims are implemented, reviewed and refreshed with a clear statement of multi-agency commitment
- Explicit commitments on membership
- Broad stakeholder involvement
- Strategic leadership
- A commitment to continual improvement

The Board will undertake the following:-

- Record and report attendance – partners’ boards to be informed of significant non-attendance and participation.
- Agree a set agenda to ensure each meeting is structured to ensure the most effective use of the reduced Board meeting time.

7.5 Engagement with Customers

Involving and engaging people who have had experience of being abused, and the Safeguarding process, is an area with which most Boards are being challenged, and not succeeding. It is not felt that representation on the Board by individuals who have been through the process would be an unsuccessful approach. In Rotherham, customers are at the heart of every service, so it is not acceptable that we do not seek engagement.

Attendance at Board by Healthwatch and the Voluntary and Community Sector (VCS) are an important component of ensuring that there is a customer voice at Board. The Board will welcome the contribution that the new Healthwatch will make to ensuring that the voices of citizens are represented.

In order to extend engagement it is proposed that an annual forum is held, similar to the well-established “Let’s Talk” events held within the Learning Disability Service. This will be a forum for engaging a wider group of customers, some of who may have had experience of the Safeguarding process; all of them with experiences of community or service settings which supports them to feel safe or otherwise.

It is also intended to hold an additional annual forum with provider organisations, wider VCS organisation etc. as a way of ensuring extended membership of the Board

7.6 Focus on Outcomes

It is proposed that safeguarding activity should have, in addition to a focus on prevent and protection a specific focus on outcomes. These should be agreed as outcomes of the safeguarding activity within Rotherham:

- People know about abuse and what to do when they become aware
- Abuse is prevented
- Adults are protected from harm
- Abuse is spotted and acted on with pace, integrity and commitment
- Partners work well together, and have policies which work well in Rotherham
- People have support to make decisions about their safety and risks

- 7.7 The meeting agreed to adopt a Safeguarding Adults Charter, and a partnership agreement of commitment which would be adopted by all partner agencies.

The draft Charter states:

RSAB will:

- take a zero tolerance approach to abuse and the factors that lead to abuse
- take action to protect vulnerable adults
- listen and respond to customers and citizens
- investigate thoroughly and in a timely manner any concern that is raised
- pursue perpetrators of abuse
- empower customers
- embed an outcomes focused approach
- commit to learn lessons and improve services as a result
- ensure that our approach to safeguarding is personalised

The partnership statement of commitment, which is a draft statement of commitment between agencies, reads in draft:

- we will hold each other to account
- we will embed the RSAB vision and strategy
- we will embed safeguarding principles
- we will implement its own safeguarding policy and evaluate its effectiveness
- we will receive and contribute to the annual report

7.8 **Forward Plan**

In order to ensure that these ambitious plans are realised, and to ensure that Board reports and decisions are able to go through the required governance processes, either internally to the Board or externally to member organisations or the Health and Wellbeing Board, it is proposed that the RSAB establishes a Forward Plan, populated by the RSAB action plan and the plans of each of the sub-groups. This will ensure that the RSAB can monitor the sub-groups progress against plan.

Serious Case Reviews – Case Reviews

The Care and Support Bill also established case reviews as statutory for adult services for the first time. This requires the Board to be able

to act as an independent body, able to use tools and methodologies to review, undertaken case reviews, lessons learned approaches and also build on good practice and effective performance. Boards will themselves be held to account for their ability to hold each other to account. This will require a rigour, independence and commitment to improvement from all partners.

7.9 **Priorities 2013/14**

Further work is required to ensure that the priorities now match the strategic intentions of the Board. The following priorities were agreed at the meeting in May 2013 and act as a starting point:

1. New Safeguarding procedures in place by March 2014.
2. Publish an annual report and business plan by August 2013.
3. Develop and implement a competence framework for members by August 2013.
4. Implement communications strategy by April 2013.
5. Strengthen joint working with Children's safeguarding board and domestic abuse priority group through agreeing governance by August 2013.
6. Review governance and board management arrangements and sub-groups and have refreshed arrangements in place by September 2013.
7. Implement a consistent and coherent learning from customers/practice/lessons learned framework by December 2013.
8. Refresh and review serious care review toolkit by November 2013.
9. Agree and embed a refreshed multi-agency performance management framework.
10. Identify the skills, tools and processes needed by the Board to exercise sufficient and effective scrutiny at the level required of a statutory SAB.

8 **Consultation**

These proposals have been based on consultation at the Board away day, and will be presented to Cabinet Member Adult Social Care and the Health and Wellbeing Board once agreed by the Safeguarding Adults Board.

9 Finance

There are no financial implications arising from this report.

10 Background and reports

- Department of Health 2011 statement of Government Policy on Safeguarding Adults. Gateway ref 16072
- ADASS – (2011) Standards of Safeguarding
- ADASS 2011 Advice note for Safeguarding Adults
- ADASS 2013 Advice Note to Director of Adult Social Services
- Draft Care and Support Bill
- ADASS Guidance, Out of Area, Safeguarding Adults Arrangements Dec 2012
- Safeguarding Standards 2010/11
- Safeguarding 20 Top Tips 2010
- Winterbourne Serious Case Review
- Francis report - Mid Staffs

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Mission Statement

People of Rotherham are able to live a life free from harm and all organisations and communities

- Have a culture that does not tolerate abuse
- Work together to prevent abuse
- Know what to do when abuse happens

Objectives

- ❖ All organisations and the wider community work together to prevent abuse, exploitation or neglect wherever possible
- ❖ Where abuse does occur we will safeguard the rights of people, support the individual and reduce the risk of further abuse to them or to other vulnerable people
- ❖ Where abuse does occur, enable access to the appropriate service and have increased access to justice focussing on outcomes of people
- ❖ Staff in organisations across the partnership have the knowledge, skills and resources to raise standards to enable them to prevent abuse or to respond to it quickly and appropriately
- ❖ The whole community understands that abuse is not acceptable and that it is 'everybody's business'

Strategic Aims

1. To develop a Safeguarding Adults Strategy that empowers people to protect themselves and their carers through effective risk management in personalisation of their care.

2. To deliver the RASB strategy through a Performance Management Framework, holding partner agencies to account through robust governance arrangements and quality assurance processes.
3. To review the constitution and governance of the RASB in line with National and Local priorities.
4. Ensure lessons are learned and recommendations implemented from serious case reviews to prevent abuse and safeguard vulnerable adults across Rotherham.
5. To align the interface between Children and Adult Safeguarding ensuring cross representation at a strategic and operational level to ensure a holistic view across the safeguarding agenda.
6. To further develop multi-agency information sharing systems, empowering practitioners to identify and prevent abuse from occurring where possible through integration of 'reportable concerns' and be fully informed about their responsibilities regarding the sharing of information between agencies for the purpose of safeguarding activities.
7. To engage and support local communities through cultural change to be the eyes and ears of safeguarding, raising awareness and promoting safeguarding adults work, reporting concerns and speaking up for people who may not be able to protect themselves and ensuring everyone involved in safeguarding is clear about their role and responsibilities.