



SAR Panel Terms of Reference

Purpose

The West of Berkshire Safeguarding Adults Board (SAB) is committed to ensuring that all agencies work together to minimise abuse or neglect to vulnerable adults at risk and to safeguard effectively where abuse or neglect has, or may have, occurred.

The SAB aims to ensure that there are effective mechanisms in place, to ensure that there is a consistent approach to learning, and promotion of best practise.

Legislation

Section 44 of the Care Act puts a duty upon the Safeguarding Adults Board (SAB) to arrange for there to be a review of a case involving an adult in its area with needs for care and support (whether or not the local authority has been meeting any of those needs) if:

- I. There is reasonable cause for concern about how the SAB, its members or other persons with relevant functions worked together to safeguard the adult,
 - and
 - II. The adult has died, and the SAB knows or suspects that the death resulted from abuse or neglect (whether or not it knew about or suspected the abuse or neglect before the adult died).
- Or
- III. If the adult is still alive, and the SAB knows or suspects that the adult has experienced serious abuse or neglect.

Under the Care Act each member of the SAB must co-operate in and contribute to the carrying out of a review with a view to identifying the lessons to be learnt from the adult's case, and applying those lessons to future cases.

Aims

The aims of the SAR Panel are to ensure that:

- the SAB has in place sound mechanisms for identification of potential Safeguarding Adults Reviews;
- proper processes are followed in each case; and that
- learning from local, regional and national cases is embedded across the partnership.

Functions include:

- To consider, at the request of the Independent Chair of the SAB, whether a SAR should take place, and make recommendations to the SAB Chair who has ultimate responsibility for deciding whether or not such a Review should be conducted.
- Where it is agreed a SAR is required to agree the most effective and proportionate type of SAR to commission
- To consider, in the light of each case, the scope of the learning or review process, draw up clear terms of reference and identify any specific expertise needed for the Review Group, including nomination for independent Chair and lead reviewers.
- To commission, monitor and manage the SAR process and to ensure reports are completed in a timely way and are quality assured.
- Keep the SAB informed of any reviews and recommending to the SAB when the SAR process is completed.
- Provide information about key learning from SARs in the Board's Annual Report.

Classification: UNCLASSIFIED

- Through the SAR Panel, the Board can commission a review to be undertaken by the DAAT.
- Informing Care Quality Commission about all reviews involving regulated services, whether or not CQC have been involved.
- Develop a range of options/models for undertaking SARs

Accountability

The group is accountable to the SAB and will report progress on a regular basis. It will also provide relevant information to the SAB as necessary, including input into the Annual Report.

Any professional may refer a case to the SAB if it is believed that there are important lessons for multi-agency working to be learned from the case. It would be the SAB's responsibility to take note of any referral and make a decision as to what action is needed.

Decision making records

In the event that criteria for a SAR has been agreed by the panel. The Business manager will inform in writing:

- Individuals and family members as identified of the decision to undertake a SAR. This will be in conjunction with the Lead LA for the commissioned SAR .
- Inform CQC of any SAR agreed at panel.
- Inform in writing all CEO or equivalent for partner agencies involved in the SAR and name their panel representative.
- Confirmation to any professional of the outcome decision of any notification that a SAR has been agreed or not agreed. This maybe through panel members or in writing.
- The business manager will maintain a data base of the notifications and outcomes
- Each notification received will be monitored through a Individual SAR Decisions and Actions Tracking Tool (Appendix 4)
- For all decisions made the panel must consider if the panel has the required knowledge to make this decision

Reporting and Governance Arrangements

The group, through the Chair, will:

- Report to the SAB on a quarterly basis, including identified risks
- Present SAR reports to the Board for endorsement
- Attend SAB Sub Group Chairs Meeting
- Review the panel's work plan annually
- Contribute to the SAB Annual Report
- Review the Terms of Reference and propose amendments to the SAB

Membership

Core membership includes:

- Reading Borough Council
- West Berkshire District Council
- Wokingham Borough Council
- Clinical Commissioning Group
- Thames Valley Police
- A representative from the Joint Legal Team will attend as required on a case by case basis.¹
- Berkshire Healthcare Foundation Trust – not considered in terms of quoracy
- Royal Berkshire Fire and Rescue Service – not considered in terms of quoracy
- Royal Berkshire NHS Foundation Trust– not considered in terms of quoracy

¹ The Chair of the Panel will review the agenda and cases in advance of each meeting and liaise with the Joint Legal Team, requesting attendance at the meeting, support and advice as required.

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Additional members from safeguarding teams from RBFH and BHFT and consultation will be sought and considered by the panel on cases where medical oversight on any review is required from the Consultant at the RBFH and /or the named GP for safeguarding.

Members will have appropriate seniority within their agencies to lead and coordinate the work on behalf of their agency. The Panel may co-opt other agencies and representatives to complete or contribute to specific pieces of work. To ensure consistency and timeframes, when members are unable to attend scheduled meetings, they will ensure a representative attends on their behalf.

All members must ensure that they have read the papers in advance of those panel meetings. For those panel members that have not read the papers they will need to alert the chair to this at the beginning of the meeting, and they will not be able to vote on any decisions made in relation to the case where the papers have not been read.

Operational arrangements

The sub group will be supported by the SAB Business Manager.

The Chair of the SAR Panel will be nominated every 3 years.

Panel meetings rotate around the three localities. The Safeguarding Lead from each area will act as the Vice Chair at the relevant meeting. The Vice Chair will chair the meetings if the Chair is not available. The Vice Chair will provide an update on relevant cases at the following Board meeting.

To ensure that discussions are thorough the Panel will discuss a maximum of three live SAR's per meeting.

The role of the Independent Chair in Safeguarding Adults Reviews is to provide a quality assurance role, receiving regular updates from the lead reviewers and ensuring the review fulfils the agreed scope and is conducted within agreed timeframes. The Independent Chair will not be expected to be part of any case review team, but will monitor the process and provide challenge when necessary in the panel process. The chair may be involved as required in undertaking joint partnership review as the chair with other partners to allow the flexibility of the panel in deciding types of review methodology and resources to promote the learning in a timely manner. This will depend on the training and experience level of any chair and there must be no conflict of interest or directly involvement in the case.

Duty of candour

The panel will routinely ask any organisation to confirm any duty of candour or contact with a family has been made.

Quoracy

The meeting will be deemed quorate if the Chair (or their substitute) and at least three other members of the Panel are present.

Frequency

Standing meetings of the SAR Panel will be held on a monthly basis, but frequency can and will be amended based on the workload of the Panel.

Agendas and minutes

Agendas and associated papers will be circulated at least a week in advance of the meeting. Minutes will be circulated within two weeks of the Panel meeting.

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Confidentiality

Panel 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 SAB.

Observers

Observers are able to attend meetings with the advanced permission of the Panel. On invite to the meeting the SAB Business Manager will make clear the confidentiality section of this TOR.

Accessibility

The Board will seek to ensure that any learning from Safeguarding Adults Reviews, as well as those not reaching the SAR threshold but where wider learning is identified, is disseminated using a variety of methods and is made available as widely as possible.

Review

The SAR Panel Terms of Reference will be reviewed annually. Any changes must be agreed by the Board.

Review Date

September 2021

See: West of Berkshire Safeguarding Adults Board SAR Process for further information on the SAR Process.