

## **Hampshire Safeguarding Adults Board**

### **Learning and Review Subgroup Terms of Reference**

#### **1. Purpose of the Learning and Review Subgroup (LRS):**

- 1.1 To act as a sub group of the Hampshire Safeguarding Adults Board (HSAB) to ensure the statutory responsibilities of the Board are carried out in respect of safeguarding adult reviews (SARs) and other forms of learning activities.

#### **2. The remit of the LRS is to:**

- 2.1 Ensure that HSAB meets its requirements under s44 of the Care Act 2014.
- 2.2 Receive SAR referrals and gather scoping information, carefully examine the facts to inform decision making about next steps. The LRS will make recommendations to the Independent Chair for a final decision. In reaching a recommendation for the Independent Chair, voting rights are restricted to statutory members as below:
  1. Police
  2. Local Authority
  3. CCGs

It is expected that the CCGs will collaborate to ensure there is 'one voice' from Health on behalf of all CCGs. This will enable decisions to be made in a balanced, impartial and comprehensive way. It is recommended that the HSAB Board Manager is consulted in reaching a decision. Should no consensus be reached amongst the wider group, then guidance will be obtained from the HSAB Independent Chair, on a case by case basis.

- 2.3 Ensure that there is thoughtful and informed consideration given to any case referred for a SAR with decision making based on agreed criteria (see Appendix A). Any case not meeting SAR criteria will be considered for a discretionary multi-agency review.
- 2.4 Any recommendation made by the LRS will include the rationale for the decision taken, cross referenced with the agreed criteria as in Appendix A. This approach will ensure ownership of decision making and will improve governance and accountability regarding referrals.
- 2.5 Ensure there is a clear process for commissioning and carrying out SARs or, at the discretion of the HSAB, other forms of multi-agency review.

- 2.6 Ensure that the adult and/or family members are informed about the review and have the opportunity to contribute and share their views.
- 2.7 Request the SAR Panel to draft a multi-agency action plan to address the recommendations arising from the SAR. The final draft action plan will be agreed by the LRS before it is shared with the HSAB Chair for sign off.
- 2.8 Publish on the HSAB Website the full report and an Executive Summary of any SAR carried out. In line with the current SAR policy, HSAB will publish suitably redacted SAR reports in full unless there are compelling reasons not to do so. Where this is the case, the rationale for this decision will be recorded.
- 2.9 Share a copy of the SAR report with the National SAR repository and to add to the local HSAB “Learning from Experience” Database.
- 2.10 Liaise with the Quality Assurance and Workforce Development Subgroups post review to ensure learning and recommendations from SARs are embedded and implemented within partner organisations and that these lead to improvements in service user experience.

### 3. Meeting arrangements

- 3.1 The Chair and vice Chair of the LRS will be appointed by the Independent Chair of the HSAB for a term of two years.
- 3.2 The LRS will meet bi-monthly and will convene as necessary, extra meetings to consider specific referrals. Where possible, extraordinary meetings will be carried out on a virtual basis.

### 4. Membership

- 4.1 The Learning and Review Subgroup will be comprised as follows:

Interim Assistant Director	Adult Social Care, Hampshire County Council (Chair)
Associate Director Quality & Nursing	Health – Fareham and Gosport and South East Hampshire CCG
Consultant Nurse	Health - West Hampshire CCG.
Serious Case Reviewer	Hampshire Constabulary
Learning and Review Manager	Adult Social Care, Hampshire County Council
Named Nurse Safeguarding Adults	Health - Southern Health Foundation Trust

Head of Safeguarding	Health - Portsmouth Hospitals NHS Trust
HSAB Board Manager	Hampshire Safeguarding Adults Board

The LRS will be considered quorate as long as representation is present at the meeting from:

1. Local Authority (Adult Social Care)
2. Police
3. CCGs

## 5. LRS Business process

- 5.1 SARs and other multi-agency reviews will be undertaken in accordance with the agreed HSAB Multi-Agency Learning and Review Framework and Safeguarding Adult Review policy and practice guidance. This guidance will be reviewed and updated to reflect current legislative and policy requirements as necessary and in consultation with partner agencies.
- 5.2 The review process will reflect the Making Safeguarding Personal approach and the Adult and/or their family members will have the opportunity to contribute and share their views.
- 5.3 Any organisation or professional who becomes aware of a case which may meet the criteria for a safeguarding adult review should refer it (directly, or via their organisation's HSAB representative) to the HSAB Secure e-mail inbox ([safeguarding.account@hants.gcsx.gov.uk](mailto:safeguarding.account@hants.gcsx.gov.uk)). The HSAB Board Manager will be notified who in turn will notify the Chair of the LRS.
- 5.4 To inform the decision making process, the Chair of the LRS will initiate an information scoping exercise from each of the agencies known or suspected to have had involvement with the person at risk at the time of the incident.
- 5.5 The LRS will review the information scoping report to establish whether or not criteria for carrying out a SAR are met. If criteria for a SAR are not met, the LRS will consider if another form of review should be undertaken e.g. multi agency partnership review, reflective workshop, multi agency themed audit, discretionary review etc.
- 5.6 Where statutory SAR criteria are not met, decision making about alternative types of reviews and learning will be based on the presenting circumstances of the case and whether there is potential for multi agency learning to improve the safeguarding system and practice locally.
- 5.7 If the HSAB requests that a SAR (or other type of multi-agency review) is undertaken, the LRS will be responsible for drawing up clear terms of reference and for establishing a multi-disciplinary SAR panel to

oversee the process. As a minimum, the SAR panel will include representation from the HSAB core statutory member organisations i.e. Adults Health and Care, Clinical Commissioning Groups and Police. Membership and representation from other organisations will be agreed on a case by case basis and informed by the circumstances of the case.

- 5.8 If a case also gives rise to concerns about how agencies have worked together to protect children, a referral to the LSCB will be made. The Learning and Review Subgroup will also consider if any other statutory review criteria may apply in the case in question (such as a Domestic Homicide Review, Serious Case Review for Children, MAPPA Case Review or Mental Health Homicide Review) and will make a referral appropriate.
- 5.9 Where other statutory review processes and/or coronial proceedings run in parallel with the SAR, the LRS will be responsible for ensuring the interfaces between respective processes are managed appropriately and effectively.
- 5.10 The decision to publish (or not to publish) a SAR will be taken by the HSAB with due consideration of all relevant factors in the case. Reasons to not publish or publish a redacted report, may include safeguarding and/or expectations of privacy for any surviving people mentioned in the report, or other factors.
- 5.11 The LRS will ensure wider communication will be carried out with multi-agency partners in accordance with the agreed protocol.
- 5.12 The LRS will consider key themes arising from learning and reviews, domestic homicide reviews and mental health homicide reviews carried out in other local authority areas and will consider and disseminate key learning accordingly through via the HSAB members, HSAB website learning from experience pages and other lines of communication as identified.

## **6. Reporting arrangements**

- 6.1 The Chair of the LRS will update HSAB on the work and progress of the group including updates on any SAR review commissioned.

## **Appendix A: Criteria for conducting a safeguarding adult review**

The Safeguarding Adults Board is the only body that can commission a safeguarding adult Review. The HSAB must arrange a safeguarding adult review of a case of an adult in its area with needs of care and support (whether or not the local authority was meeting those needs) if:

a) There is reasonable cause for concern about how the SAB, its members or organisations worked together to safeguard the adult

AND

b) The person died and the SAB knows/suspects this resulted from abuse or neglect (whether or not it knew about this before the person died).

OR

c) The person is still alive but the Safeguarding Adults Board knows or suspects they've experienced serious abuse/neglect, sustained potentially life threatening injury, serious sexual abuse or serious/permanent impairment of health or development.