

**Merton Safeguarding Adults Board**

Terms of Reference

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| Date: | March 2023 |
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**1. Introduction**

1.1. The Merton Safeguarding Adults Board (MSAB) is a statutory, multi-agency partnership co-ordinated by the local authority. It oversees and leads adult safeguarding across the Merton Council areas. The main objective of the MSAB is to ensure that safeguarding arrangements across the partnership, work effectively to prevent abuse and neglect and to protect people with care and support needs who may be at risk of abuse and neglect

1.2. The MSAB has a strategic role that is greater than the sum of the operational duties of the core partners. It oversees and leads adult safeguarding across Merton and is interested in a range of matters that contribute to the prevention of abuse and neglect. These include the safety of patients in its local health services, quality of local care and support services and awareness and responsiveness of further education services.

**2. Purpose of Merton Safeguarding Adults Board**

2.1. The statutory purpose of the SAB is to help and safeguard adults with care and support needs. It does this by:

* Providing assurance that local safeguarding arrangements are in place as defined by the Care Act 2014, statutory guidance, and the Association of Directors of Adult Social Care (ADASS) guidance.
* Providing assurance that safeguarding practice is person-centred and outcome focused (Making Safeguarding Personal)
* Working collaboratively to prevent abuse and neglect where possible.
* Ensuring all agencies and individuals give timely and proportionate responses when abuse or neglect have occurred

2.2. The MSAB’s Vision is outlined in its strategic plan which can be found here.

2.3. The vision is set upon the foundation of the following principles which provide direction to the development of safeguarding practice in Merton.

* **Empowerment** - People being supported and encouraged to make their own decisions and informed consent.
* **Protection** - Support and representation for those in greatest need.
* **Prevention** - It is better to take action before harm occurs.
* **Proportionality** - The least intrusive response appropriate to the risk presented.
* **Partnership** - Local solutions through services working with their communities. Communities have a part to play in preventing, detecting and reporting neglect and abuse.
* **Accountability** - Accountability and transparency in delivering safeguarding.

2.4. MSAB undertakes its role within the Boundaries of the London Boroughs of Merton. It works closely with other London SABs and with the wider regional partners to undertake work which will benefit from a regional perspective.

2.5. The MSAB publishes its Annual Report and Business Plan on the Safeguarding Adults Board web pages ([here](https://www.mertonsab.org.uk/))

**3. Structure of the MSAB**

3.1. The structure of the MSAB is as shown below:

MSCP

Independent chair of the MSAB

Merton Strategic Safeguarding Partnership Group (tbc)

MSAB

Safeguarding Adult Review [SAR] Sub-Group

Learning & Development Sub-Group

Performance & Quality Sub-Group

Communication & Engagement Sub-Group

Community Safeguarding Adults Champions Forum

People with Lived Experience Forum (tbc)

3.2. The MSAB will organise at least three events per year with the following themes:

* Annual General Meeting – focus on evaluation, review, and revision of the strategic and business objectives.
* Safeguarding Learning Event – sharing learning across the wider partnership.
* Partnership Event – connecting with other partnership structures on areas where co-operation and shared learning are required.

3.3. The MSAB will carry out its responsibility by establishing the following groups and Sub-groups:

* SAR Sub-group
* Performance and Quality Sub-group
* Learning and Development Sub-group
* Communication and Engagement Sub-group
* Community Safeguarding Adults Champion Forum
* People with Lived Experience Forum (tbc)

3.4. Task and Finish Groups may be established as and when required to conduct any in-depth reviews, policies or issues relating to safeguarding, which falls under the remit of the MSAB.

3.5. All Sub-groups and task and finish groups will have terms of reference agreed by the MSAB and will produce regular reports regarding progress on their activities.

3.6. The current terms of Reference for each group can be found on the MSAB website.

**4. Membership and members’ responsibilities**

4.1. The MSAB will include partners as identified in Appendix 1.

4.2. Each agency shall designate named people as their MSAB member(s) to ensure consistency and continuity in the membership of MSAB. The nominations of the representatives, including named deputies, shall be sent annually by the Heads of the respective agencies to the Independent Chair of MSAB. Members and their deputies will be required to sign and adhere to a Statement of commitment.

4.3. SAB members must have sufficient seniority and leadership within their own agency to speak on its behalf, to commit resources and agree actions and to represent their agency should the SAB need to hold it to account. The SAB should have a range of members bringing different skills and experience to meetings, but all members should have attended safeguarding awareness training and have:

* An understanding of abuse and neglect and their impact
* Knowledge of local safeguarding services
* Personal commitment to the six safeguarding principles
* A clear understanding of their role and that of their agency within the SAB.

4.4. Lack of attendance at Board meetings by an organisation/agency will seriously hinder the strategic development of the multi-agency arrangements for safeguarding adults, and for this reason non-attendance is viewed as unacceptable. Where both the nominated and deputising member do not attend for two or more meetings this fact will be drawn to the attention of the Chair of the Board.

4.5. Individuals may also be invited to join the SAB if the board considers that it will be beneficial. SABs may also need to seek ‘one-off’ specialist advice or information in relation to any of their functions, to assist the implementation of their objectives. This may include seeking legal advice or consulting specialist advisors. The selection of agencies and individual members will be guided by the need of the SAB.

4.6. Each member of the Safeguarding Adults Board is responsible for ensuring that effective safeguarding arrangements are in place within their organisations/agencies. Members agree to play a strategic role, to promote safeguarding and people’s independence, well-being, and safety. To refer to their organisations so that policy and practice can be developed, to disseminate within their own organisation and to contribute to sub-groups.

**5. Role and functions of Independent SAB Chair**

5.1. The Independent Chair of MSAB is accountable to the statutory members of the MSAB.

5.2. The Independent Chair is recruited by a multi-agency panel of statutory members of MSAB and serves a three-year term at which point his/her tenure will cease and a further selection process will commence which may include the current Chair if they so wish.

5.3. The Performance of the Independent Chair will be reviewed annually by the MSAB statutory members with the opinions of the MSAB members being sought beforehand.

5.4. The Independent Chair works closely with all MSAB partners to offer assurance that partners are acting collaboratively whilst holding one another to account for the effectiveness of the safeguarding adult arrangements in the Borough.

5.5. The MSAB Independent Chair will offer constructive challenge to the MSAB and its partners.

5.6. The Independent Chair will act as a conduit between the Sub-groups and the wider Safeguarding Adults partners.

5.7. The Independent Chair will engage with other Independent Chairs within formal structures such as the London Independent Chairs and the National Independent Chairs networks.

**6. Decision and escalation**

6.1. Where there is disagreement, decisions will be based on a simple majority of the members present at each group. Any disagreements resulting in the Sub-groups will be brought up to the attention of the chief accountable officers of the statutory partners for help in resolving them.

**7. Communication, Data Protection and Accountability**

7.1. Agendas, minutes, and reports will be collated and provided before and after meetings in a timely manner.

7.2. All material will be communicated with members and the wider SAB electronically in accordance with the Data Protection Act 2018 and the GDPR regulations.

7.3. All matters discussed at the MSAB will be confidential and unless agreed should not be divulged to other parties. All agenda, reports and other documents and all proceedings of the MSAB, shall be treated as confidential unless required to be disclosed by law, in which case appropriate redaction will be applied to make them compliant with GDPR.

7.4. Where decisions are urgent, they can be made outside of meetings by email.

7.5. In exceptional circumstances, where consensus cannot be reached, issues can be escalated to the chief accountable officers of the statutory partners.

**8. Governance and Accountability**

8.1. MSAB sits within a dynamic framework of statutory and non-statutory multi-agency bodies which include the Merton Councils, Health and Wellbeing Board, Merton Safeguarding Children Partnership and Merton Community Safety(Partnership). Each body has vital and distinct roles which include a responsibility for people’s safety and promoting their welfare.

8.2. The effectiveness of MSAB relies upon its ability to assert its statutory authority through an independent voice.

**9. Budget**

9.1. No later than December in each year, MSAB will determine a budget for the forthcoming financial year and contributions of partner organisations.

9.2. If in any financial year, the actual costs exceed the budgeted amount, the difference will be met by the statutory agencies in agreed proportions. Where the budgeted amount exceeds the actual cost, the difference will be carried forward to put towards expenditure for the following year.

9.3. A statement of costs and income will be presented to the MSAB annually.

**10. Declarations of Interest**

10.1. The Partners and Board Members will comply with all statutory requirements both local and national, and other guidance on conduct and integrity, and ensure good corporate governance. No member or officer of any partner shall put themselves in a position whereby duty and private interest conflict.

10.2. Declarations of any conflicts of interest must be made to the Chair of the Board prior to the relevant agenda item and the member concerned must excuse themselves from the item and ensure their organisation is represented by a Deputy member.

**11. Complaints**

11.1. Arrangements for investigating complaints will be established in accordance with the Merton Adult Social Care Complaints procedure.

**12. Review**

12.1. These terms of reference will be reviewed at least every three years or as necessary.

**Appendix 1: Membership of MSAB**

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| **Category** | **Organisation** |
| Independent Chair | Independent Chair |
| Statutory Partners | Adult Social Care - London Borough of Merton |
| Integrated Care Board [ICB] |
| Southwest London Metropolitan Police BCU |
| Wider Local Authority Partnership | Merton Adult Social Care |
| Commissioning |
| Councillors  |
| Merton Public Health |
| Merton Community Safety Partnership |
| Merton Safeguarding Children’s Partnership |
| Trading Standards  |
| Merton Council Housing |
| Children’s, Lifelong Learning and Families |
| Wider Health Partners | Southwest London and St Georges Mental Health Trust |
| Central London Community Healthcare NHS Trust (CLCH) |
| St Georges Hospital NHS Trust |
| Housing | Clarion Housing |
|  |
| Emergency Services & Probation | London Fire Brigade |
| Probation Services – Merton |
| Community and Voluntary Sector | Merton Connected |
| Health Watch Merton |
|  |
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|  |
| Ex Officio Capacity | Care Quality Commission [CQC] |
| Head of Adults Social Care Operations |
| Assistant Director - Adult Social Care |
| Integrated Learning Disabilities Service |
| Safeguarding Adults Manager |
| Head of Law – Social Care [Merton] |
| Business Intelligence Manager  |