Camden Safeguarding Adults Partnership Board

Safeguarding Adults Review Framework – October 2019

***“Safeguarding is everybody's business”***

******

1. **Purpose and Scope of Policy**

The purpose of this policy is to set out a framework for commissioning, undertaking and quality assuring a Safeguarding Adults Review (SAR hereafter). The Camden Safeguarding Adults Partnership Board (SAPB hereafter) has a statutory responsibility to carry out a SAR in accordance with Section 44 of the Care Act 2014[[1]](#footnote-1).

The SAR Sub-group reports to the Camden Safeguarding Adults Partnership Board (SAPB). It is responsible for recommending the commissioning of SARs, managing the process and assuring the SAPB that recommendations and actions have been addressed by the multi-agency partnership and individual agencies.

The work of the SAR Sub-group is governed by Section 44 of the Care Act 2014, which sets out the criteria and procedure each Safeguarding Adults Board should use when a SAR is required. This policy should be read in conjunction with the Pan-London Multi-agency Safeguarding Adults Policy and Procedures[[2]](#footnote-2) which contains guidance for conducting SARs.

A Safeguarding Adults Review (SAR) is a process that enables all partner agencies to identify learning from particularly complex or difficult safeguarding adult cases and implement changes to improve services in the light of the learning.

The aim must be to learn from past experience to improve future practice and multi-agency working. It is not the purpose of SARs to apportion blame or to establish how someone died or suffered significant harm. That is for other processes such as disciplinary, criminal or statutory investigations and the courts. The SAPB will promote a culture that:

• Values professional expertise

• Shares responsibility

• Develops professional expertise and supports effective practice

• Strengthens accountabilities and creates a learning system

1. **Criteria for a SAR**

The Care and Support Statutory Guidance (2018)[[3]](#footnote-3) states the SAPB must arrange a SAR when an adult in its area dies as a result of abuse or neglect, whether known or suspected, and there is concern that partner agencies could have worked more effectively to protect the adult.

The SAPB must also arrange a SAR if an adult in its area has not died, but the SAPB knows or suspects that the adult has experienced serious abuse or neglect. In the context of SARs, something can be considered serious abuse or neglect where, for example, the individual would have been likely to have died but for an intervention, or has suffered permanent harm or has reduced capacity or quality of life (whether because of physical or psychological effects) as a result of the abuse or neglect. The SAPB may arrange a SAR in any other situations involving an adult in its area with needs for care and support.

There is no requirement for a case to have gone through a Section 42 safeguarding adults enquiry before it can be considered for a SAR.

The SAPB should be primarily concerned with weighing up what type of ‘review’ process will promote effective learning and improvement action to prevent future deaths or serious harm occurring again. This may be where a case can provide useful insights into the way organizations are working together to prevent and reduce abuse and neglect of adults. SARs may also be used to explore examples of good practice where this is likely to identify lessons that can be applied to future cases.

1. **The Management of SAR Requests**

Any member of the public, agency or professional body, elected members, MPs or a Coroner may refer cases to the SAPB for consideration of a SAR.

A referral should be sent to the correct SAPB in the first instance. The SAPB in the area where the person involved was normally resident would be responsible for considering a SAR but if no known address can be established, the SAPB where the person involved frequented would be responsible.

Referrals must be made using the Camden SAPB Safeguarding Adults Review Request form and sent to the SAPB Business Manager who will ensure that local processes are activated. [Camden SAPB Multi Agency Safeguarding Adults Referral Form](file:///\\lbcamden.net\teams\CSFTeams\Adult%20Social%20Care\Safeguarding%20Adults\Safeguarding%20Partnership%20Board\SUB-GROUPS\SAR%20Sub%20group\SAR%20Framework%20-%20August%202019\ITEM%208A%201%20Draft%20SAR%20Framework.docx) The referrer will receive an invitation, from the SAPB Business Manager, to attend the SAR Sub-group to present the referral.

It is expected that the referral for SAR consideration is made with an appropriate rationale and in a timely manner.

The Chair of the SAR Sub-group will need to consider whether case files relevant to the case should be secured immediately to avoid undue delay before the SAR subgroup can be convened. The SAR Sub-group members should be notified of the referral as soon as is practicably possible. An extraordinary meeting may need to be arranged at the discretion of the Chair.

The Chair of the SAR Sub-group will make a safeguarding referral to the relevant local authority where a referral highlights any risks to other individuals with care and support needs

The Chair of the SAR Sub-group will inform the referrer, in writing, of the decision made by the subgroup along with the rationale and any recommendations.

Should the referrer disagree with the decision made by the SAR Sub-group, this should be raised in writing with the Chair of the SAR Sub-group at [CamdenSAPB@Camden.gov.uk](mailto:CamdenSAPB@Camden.gov.uk) in the first instance. This will be escalated to the Chair of the SAB if disagreement still exists.

1. **Making Decisions**

The SAR Sub-group must have senior representation from the three statutory agencies, Police, Local Authority and CCG, in order to commission a SAR.

The referrer will present the referral prior to which, an Agency Involvement Form should be completed by all relevant agencies in preparation for the SAR Sub-group.

The SAR Sub-group must also consider whether anything similar has happened before. If a similar SAR was commissioned in the past, the sub-group should determine whether new learning can be identified or whether SAPB should be notified of any failure to implement existing learning.

If the decision is to proceed with a SAR, the sub-group should use all available information to determine the method and scope of review to be undertaken.

The decision about whether to have a SAR, and the nature of the SAR that is required, must take into account factors related to the case and the local context. [The Decision Tree](https://www.camden.gov.uk/documents/20142/0/Camden+SAR+Methodology+Decision+Tree.docx/8f0b859c-ecbc-5e3a-2d89-6acabf393833) should be used to evidence the SAR Sub-group’s discussion and rationale. The rationale for these decisions should be clear, defensible and reached in a timely fashion. The SAR Decision Making Template should be completed on behalf of the SAR Sub-group by the Chair for each referral and shared with the SAPB Chair.

The options are:

* To conduct a SAR using one of the methodologies (see The Decision Tree link above)
* To undertake/request another type of review (e.g. specific agencies to conduct internal management reviews or smaller scale audit/review of agency involvement). In such cases, arrangements should be made for the findings to be shared with the SAR Sub-group
* To take no further action.

1. **The Approach to SARs**

The approach taken in SARs should be proportionate according to the scale and level of complexity of the issues being examined.

The Six Principles of Adult Safeguarding must be followed throughout the SAR process:

* Empowerment: People being supported and encouraged to make their own decisions and informed consent.
* Prevention: It is better to take action before harm occurs.
* Proportionality: The least intrusive response appropriate to the risk presented.
* Protection: Support and representation for those in greatest need.
* 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.

The SAR Sub-group should be primarily concerned with weighing up what type of ‘review’ process will promote effective learning and improvement action to prevent future deaths or serious harm occurring again. This may be where a case can provide useful insights into the way organisations are working together to prevent and reduce abuse and neglect of adults.

Early discussions need to take place with the adult, family and friends to agree how they wish to be involved and where required. Families should be invited to contribute to reviews. It is important that they are informed of how they are going to be involved and their expectations should be managed appropriately and sensitively. The SAPB SAR leaflet for families should be provided [Camden SAPB SAR Leaflet for Families, Carers, Friends.](file:///\\lbcamden.net\teams\CSFTeams\Adult%20Social%20Care\Safeguarding%20Adults\Safeguarding%20Partnership%20Board\SUB-GROUPS\SAR%20Sub%20group\SAR%20Framework%20-%20August%202019\ITEM%208A%2010%20Camden%20SAPB%20SAR%20Leaflet%20for%20Families,%20Carers,%20Friends.pdf)

The adult who is the subject of any SAR need not have been in receipt of care and support services for the Board to arrange a review.

There is also a separate duty to arrange an independent advocate, through the locally commissioned advocacy service, for adults who are subject to a Safeguarding Adults Review (SAR).

Reviews should be led by individuals who are independent of the case under review and of the organisations involved.

Professionals should be involved fully in reviews and invited to contribute their perspectives without fear of being blamed for actions they took in good faith.

1. **Links with Other Reviews**

When victims of domestic homicide are aged between 16 and 18, there are separate requirements in statutory guidance for both a child Serious Case Review (SCR) and a Domestic Homicide Review (DHR). Where such reviews may be relevant to SAR (for example, because they concern the same perpetrator), consideration should be given to how SARs, DHRs and SCRs can be managed in parallel in the most effective manner possible so that organizations and professionals can learn from the case. For example, considering whether some aspects of the reviews can be commissioned jointly so as to reduce duplication of work for the organizations involved.

When commissioning a SAR the sub-group should recommend to the SAPB how the process could dovetail with any other relevant investigations that are running parallel, such as a child SCR or DHR, a criminal investigation or an inquest.

When running a SAR and DHR or child SCR in parallel, it should be established at the beginning, all the relevant areas that need to be addressed to reduce potential for duplication for families and staff. Any SAR will need to take account of a coroner‘s inquiry, and, or, any criminal investigation related to the case, including disclosure issues, to ensure that relevant information can be shared without incurring significant delay in the review process. It will be the responsibility of the SAR Chair to ensure contact is made with the Chair of any parallel process in order to minimize avoidable duplication.

1. **The Responsibilities of the SAR Sub-group**

Discussion and agreement with the SAPB Chair will define and agree the expectations of the review

The SAR Sub-group will receive regular updates on the progress of the SAR from the Review Group as set out in the terms of reference.

The Chair of the SAR Sub-group will ensure that progress updates are provided to the Safeguarding Adults Board at its scheduled meetings.

The draft final report together with a draft action plan will be presented to both the SAR Sub-group and the SAPB Chair.

The Chair of the SAR sub group, supported by the Board Business Manager, will ensure that the final report is presented to the Board as soon as possible after its completion.

The Chair of the SAR Sub-group will also agree with the Chair of the review, how the draft report is to be shared with the individual and/or or their friends or relatives.

The SAR sub group will be responsible for identifying which other sub groups will take responsibility for obtaining assurance on each aspect of the plan. This assurance will include confirmation that the required steps have been taken and the lessons learnt have been shared across organisations in Camden. These actions will be monitored by the SAR Sub- group through the Board’s Strategic Plan.

The Chair of the SAR Sub-group will provide updates to the SAPB on the progress of the action plan and agree with SAPB when a review should be closed further to all actions completed.

1. **Methodologies**

Best practice suggests that a range of different methodologies should be available to learn from cases. The SAR Sub-group will need to consider the various options and decide which approach is likely to provide the most learning. The methodology should be proportionate to the presenting circumstances. Below is a list of methodologies which is not intended to be exhaustive or to deter innovation:

* Traditional Serious Case Review
* Learning Together Review (including focussed/themed review);
* Appreciative Inquiry;
* Significant Event Analysis

All review methodologies outlined have some degree of flexibility. The [Decision](https://www.camden.gov.uk/documents/20142/0/Camden+SAR+Methodology+Decision+Tree.docx/8f0b859c-ecbc-5e3a-2d89-6acabf393833) Tree includes more information about each of the above methodologies.

1. **Commissioning a SAR Chair/Author**

SARs must demonstrate they are of high quality and value for public money. Where the methodology selected is suitable, an Independent Chair/Author with the appropriate expertise, may be agreed via reciprocal arrangements with other Boroughs. The SAPB will seek to build a network of suitable expertise to support reciprocal arrangements through the professional networks of its partners. Independent Chairs may be approached under reciprocal arrangements with the agreement of the SAR Sub-group and SAPB Chair. A CV must be submitted for approval and the same quality markers agreed as with paid Independents. The full [SCIE Quality Markers](https://www.scie.org.uk/) can be accessed via and a summary document can be accessed.

Any SAR requiring payment of an Independent Chair/ Author should aim to obtain at least three bids to evaluate. Contract Award will comprise of:

* Quality evaluation: evaluation of all non-financial elements of the Quality Questionnaire/ Method Statement
* Pricing evaluation: evaluation of financial information in the pricing schedule

A scoring template can be accessed via [SAR Author Evaluation](file:///\\lbcamden.net\teams\CSFTeams\Adult%20Social%20Care\Safeguarding%20Adults\Safeguarding%20Partnership%20Board\SUB-GROUPS\SAR%20Sub%20group\SAR%20Framework%20-%20August%202019\ITEM%208A%208%20Safeguarding%20Adult%20Review%20Author%20Evaluation.docx)

Once the report is written, the person leading the review is responsible for seeking agreement from all contributing agencies that they are satisfied that the report reflects the information shared and discussions held as part of the review. If it is not possible to obtain agreement, the person leading the review has the final decision on what is written. The Chair of the SAPB should be notified where agreement has not been obtained from all agencies

The person leading the review is also responsible for:

* Agreeing with the SAR Sub-group Chair and the SAPB Chair how the report will be shared with SAPB members and the individual and/or family
* Participating in any agreed communication arrangements regarding the report, including public information.

1. **Information Sharing and Partnership Working**

Section 44.5 of the Care Act[[4]](#footnote-4) requires organisations and partners represented on the SAPB to co-operate in and contribute to the carrying out of a SAR with a view to identifying the improvements required from the adult’s case and applying those lessons to future cases.

Section 45 of the Care Act 2014 places a legal duty on any organisation or individual asked to provide relevant information to share what they know with SAPB or the person identified (i.e. the person leading the review). This section applies if the information being requested on behalf of the Board is to enable or assist it to perform its functions. Undertaking a SAR is a function of the Board and therefore s 45 applies to all requests for relevant information made as part of the Safeguarding Adults Review process.

Note; In order to carry out functions the SAPB will need access to information a wide number of people and/or organisations hold. These may or may not be SAPB members. However, as above Section 45 places a legal duty for all requests to be responded to if the information is required in order for the SAPB to carry its duties, one of these being a SAR irrespective if the organisation are members or not to their local SAPB.

All information shared with the SAPB will be managed in accordance with GDPR legislation[[5]](#footnote-5)

1. **Involvement of Individuals and/or Families**

The individual and/or their family, should be informed if a review is going to take place. They should be offered the opportunity of contributing to the review process, but how that is done will depend on the methodology used and the views of the family.

Under section 68 of the Care Act 2014, an independent advocate must be arranged (where necessary) to represent and support an adult who is the subject of a SAR if it is judged they would experience substantial difficulty in participating in the review process and there is no other appropriate representative. Where an independent advocate has already been arranged under section 67 of the Care Act 2014 or under the Mental Capacity Act 2005[[6]](#footnote-6) then, unless inappropriate, the same advocate should be used.

It is the role of the person leading the review to ensure that an individual is identified to be the contact with the family or person. The person leading the review will also agree the manner in which family members or friends will contribute to the review if they wish to do so.

The consent of the family or individual is not however required for a review to take place.

1. **Responsibility to staff**

Staff directly involved in working with an individual subject to a SAR should be notified by their employing agency that the decision has been made to undertake the review.

Information about the review process and how the staff members may be involved in the review should be fully explained by their employing organisation and a copy of the SAPB SAR leaflet for professionals provided.

.

Support to staff members should be provided by the employing agency/organisation in line with their HR and supervision policy requirements.

1. **1.1 Final Report and Action Plan**

All SAR reports are owned by Camden SAPB. The report and action plan are only final when accepted and approved by the Board.

Prior to publication SAPB should consider the impact of publication and consult with partner Communication Leads.

The action plan will explicitly set out how agencies will evidence that actions have been completed and how the learning from the SAR will be embedded into practice.

The SAPB will be provided with updates on the action plan by the SAR Sub-group. A review will only be closed when the Board is satisfied that all the actions have been completed.

SAR overview reports will be published on the SAPB website.

Prior to publication the SAPB Chair will co- ordinate the writing of a reactive/proactive statement with partner organisations Communication Leads.

1. <https://www.gov.uk/government/publications/care-act-statutory-guidance/care-and-support-statutory-guidance> [↑](#footnote-ref-1)
2. <http://londonadass.org.uk/wp-content/uploads/2015/02/Pan-London-Updated-August-2016.pdf> [↑](#footnote-ref-2)
3. <https://www.gov.uk/government/publications/care-act-statutory-guidance/care-and-support-statutory-guidance> [↑](#footnote-ref-3)
4. <http://www.legislation.gov.uk/ukpga/2014/23/contents/enacted> [↑](#footnote-ref-4)
5. <http://www.legislation.gov.uk/ukpga/2018/12/contents/enacted/data.htm> [↑](#footnote-ref-5)
6. <http://www.legislation.gov.uk/ukpga/2005/9/contents> [↑](#footnote-ref-6)