



# Safeguarding Adult Review Protocol

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Author	Catherine Johnson

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## 1. Introduction

- 1.1 The 2014 Care Act introduced a new legal requirement for Safeguarding Adults Boards (SAB) to carry out reviews known as Safeguarding Adult Reviews in certain circumstances. A Safeguarding Adult Review (SAR) is a multiagency process that is used to review how professionals and organisations have worked together with the aim of learning lessons and improving how adults in the areas can be more effectively safeguarded and protected from serious harm.
- 1.2 The SAB is the only body which can undertake a SAR. There are certain circumstances in which a SAB must carry out a SAR and the Care Act also provides the freedom for the SAB to undertake SARs in any other situations.
- 1.3 For the purpose of this document an adult refers to anyone aged 18 or over who
  - Has needs for care and support, whether or not the local authority is meeting any of those needs
  - Is experiencing, or is at risk of, abuse or neglect
  - As a result of those care and support needs is unable to protect themselves from either the risk of, or the experience of abuse or neglect.
- 1.4 A SAR should seek to identify what agencies and individuals might have done differently that could have prevented harm. It is not the function of a SAR to reinvestigate, apportion blame or hold any individual or organisation to account.

## 2. Safeguarding Adult Review (SAR) Criteria

- 2.1 The Care Act Statutory Guidance states that

A Safeguarding Adult Board (SAB) must arrange for there to be a review of a case involving an adult in its area with needs for care and support<sup>1</sup> (whether or not the local authority has been meeting any of those needs) if –

- (a) There is reasonable cause for concern about how the SAB, members of it or other persons with relevant functions work together to safeguarding the adult, and
- (b) Condition 1 or 2 is met
  - Condition 1 is met if 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 before the adult died)
  - Condition 2 is met if the adult is still alive and the SAB knows or suspects that the adult has experience serious abuse or neglect.

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<sup>1</sup> The eligibility threshold for adults with care and support needs is set out in the Care and Support (Eligibility Criteria) Regulations 2014. The threshold is based on identifying how a person's needs affect their ability to achieve relevant outcomes, and how this impacts on their wellbeing.

- 2.2 The Care Act also makes provisions for a SAB to commission an alternative review of a case where it has not met the criteria, but it is clear that there is potential to identify sufficient and valuable learning to improve how organisations work together, to promote the wellbeing of adults and their families, and to prevent abuse and neglect in the future. This may include;
- Serious incidents not meeting the criteria for a SAR
  - Cases featuring repetitive or new concerns or issues which the SAB wants proactively to review in order to pre-emptively tackle practice areas or issues before serious abuse or neglect arises
  - Cases featuring good practice in how agencies worked together to safeguarding and adult with care and support needs, from which learning can be identified and applied to improve practice and outcomes for adults.
- 2.3 In Warrington, SARs are reserved for cases meeting the statutory criteria only. In other circumstances, when the criteria is not met and Warrington SAB identifies a potential for learning, an alternative kind of review will take place and the review will not be known as a SAR. This is to help give clarity regarding the SAR process and expectations.
- 2.4 Whilst only the Warrington Safeguarding Adults Board Chair can commission a SAR for a Warrington case, any agency or individual can refer a case for consideration of whether it meets the criteria for a SAR.

### 3. SAR Referral Process

- 3.1 SAR Referrals must be made to the Safeguarding Partnerships Team ([safeguardingpartnerships@warrington.gov.uk](mailto:safeguardingpartnerships@warrington.gov.uk) or by phone 01925 444085). Once the referral has been made the Safeguarding Partnerships Team will support the referrer to complete the **SAR Referral Form** with enough information to inform the screening process.
- 3.2 The Chair of the WSAB Safeguarding Adults Review and Learning (SARL) Group with support from the Safeguarding Partnerships Manager, will review all referrals prior to arranging the screening process.
- 3.3 At this stage, if the referral information does not suggest that the eligibility criteria would be met, following consultation with other statutory members<sup>2</sup> the SARL Group Chair may reach an agreement not to screen the referral. Where this is agreed the referrer and the Independent Chair will be informed of the rationale for not screening the referral by the Safeguarding Partnerships Manager. If it is considered that there is a more appropriate route or process to which the case should be referred such as for a Safeguarding enquiry, or an investigation under a different framework, the referrer will be advised of this.

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<sup>2</sup> Statutory Members of the SAB are Warrington Borough Council, Cheshire Constabulary and Warrington Clinical Commissioning Group

## 4. Decision making process – Screening Panel

- 4.1 The SARL Group Chair, with support from the Safeguarding Partnerships Team will select a panel to screen the case. This is known as the Screening Panel.
- 4.2 The Screening Panel will be chaired by the SARL Group Chair, unless there are concerns about potential conflicts of interest. Where this is the case an alternative chair will be identified.
- 4.3 Screening Panel members must not have had direct involvement in providing services to, or been a direct line manager of professionals involved in the case. In most cases, representatives will be identified from the SARL Group to ensure consistency within the process and decision making.
- 4.4 Other agencies not involved in the case and specialist advisers may be invited to sit on the panel as ‘critical friends’ or to bring necessary knowledge or experience relevant to the case.
- 4.5 Agencies that have been involved with the adult will be asked to complete the SAR Screening Report Template and a chronology which details contact with the adult, significant incidents and information that would support the Screening Panel to understand what has happened in order to identify key issues and possible areas of learning about the way agencies have been involved or responded.
- 4.6 The Screening panel will review the records held by each agency to;
  - Establish the facts of the case;
  - Review the effectiveness of procedures, both multi-agency and those of individual organisations;
  - Highlight good practice identified;
  - Establish if there are lessons to be learnt from the case about the way in which local professionals and agencies work together to safeguard and promote the welfare of adults;
  - Establish whether the criteria for a SAR is met and or any other type of review;
  - Agree a recommendation to the WSAB Independent Chair; and
  - Consider the findings of the various agency reports and challenge or seek assurance where required. This may include making recommendations for single agency actions outside of the SAR Process.
- 4.7 Professionals involved in the case may be asked to attend part of the meeting to provide context and clarification on the circumstances of the case.
- 4.8 In agreeing a recommendation, the Screening Panel should aim for a consensus, not a majority view. If a consensus is not possible, the recommendation will rest with the Screening Panel Chair. Where multiple members of an agency are represented on the panel, only one recommendation can be put forward per agency. The Chair will record

the recommendation and document the reasons for the recommendation as well as any differing views.

- 4.9 The recommendation of the Screening Panel should be made to the WSAB Independent Chair within two working days, completing the **Screening Panel Recommendation Form part 1**. The three recommendations noted below are the expected outcomes of the Screening Panel.

**Recommendation 1:** Criteria is met – Safeguarding Adult Review Required

**Recommendation 2:** No evidence criteria is met – Alternative Multi-Agency Review Required

**Recommendation 3:** No evidence criteria is met & no significant concern about multi-agency working

Within these recommendations, even where the SAR criteria has been met, the Screening Panel can include variations and combinations of these recommendations. As an example, the Screening Panel work may have been enough to identify the learning and make recommendations which will remove the need for further review. Arrangements for a review should be proportionate to the circumstances of the case.

## 5. Decision making process – WSAB Independent Chair

- 5.1 WSAB Independent Chair will review the Screening Panel Recommendation Form and make the final decision about whether WSAB will undertake a Safeguarding Adult Review.
- 5.2 The WSAB Independent Chair will complete the **Screening Panel Recommendation form part 2**, with the rationale for making the decision. This will include any further consideration that the Chair may have given to the recommendation of the Screening Panel or the rationale
- 5.3 The Safeguarding Partnerships Team will inform the referrer of the decision of the Independent Chair in writing. Should the referrer be dissatisfied with the decision, the Complaints Policy should be followed.
- 5.4 The Safeguarding Partnerships Team will inform WSAB Members of the decision of the Independent Chair.

## 6. Commissioning a SAR

- 6.1 On receipt of the decision to undertake a SAR or Alternative Multi-Agency Review the Safeguarding Partnerships Manager will liaise with the Screening Panel Chair to discuss the following;
- A draft scope (Terms of Reference) for the review based on the information shared at the Screening Panel

- The type of review to be undertaken and the methodology.
  - The key roles required such as SAR Panel Chair/ Independent Author/ Independent Facilitator/SAR panel
  - Links with any other parallel processes such as a SCR, DHR or LeDER review
  - Liaison with other interested parties (e.g. Adult/those affected, Coroners, Crown Prosecution Service, commissioning and regulatory bodies such as Care Quality Commission)
  - SAR Panel membership
  - Timescales
- 6.2 It is to be noted that in determining the type of review and methodology to be used that the statutory safeguarding principles will be applied. The focus will be on ensuring that there is an effective and proportionate means by which the SAB can identify key learning so that it can fulfil its statutory obligation to help protect adults in its area.
- 6.3 Following consultation and agreement with The Independent Chair as to the above, the arrangements for the SAR to commence will be made.
- 6.4 The Chair of the SARL and the Safeguarding Partnerships Manager will then agree the approach and plan the practical arrangements necessary to implement and commence the SAR process. This will include the appointment to the key roles required and the coordination of the relevant information.

## 7. SAR Process – The SAR Panel & Chair

- 7.1 If the decision is to undertake a SAR, the SAR Process will be determined by the methodology chosen to undertake the review. The SAR report will demonstrate why a particular process was selected in order to learn from the case.
- 7.2 Due to the management that is required a SAR panel may be convened to carry out the review (dependent on the methodology agreed). The panel should include representatives of all three statutory members of WSAB and, as with the Screening Panel, members must not have had direct involvement in providing services to, or been a direct line manager of professionals involved in the case.
- 7.3 Consideration of the appointment to Chair of the SAR Panel should be made prior to the first meeting as well as the other roles required such as SAR author, independent facilitator or reviewer. The Safeguarding Partnerships Manager will support any recruitment arrangements ensuring that relevant recruitment procedures are followed. If in the case of a competitive recruitment process, or for other reasons, there is a delay in the appointment of a chair, a decision may be taken to initiate the early stages of the SAR in order that information can be gathered.
- 7.4 The SAR Panel have the following responsibilities:
- Set timescales and agree a schedule of dates and activity.
  - Specify the terms of reference for the SAR.

- Confirm appropriate representation and identify any additional members to provide specialist advice (this could include legal advice).
  - Link any other interested parties (e.g. Coroners, Crown Prosecution Service, and Care Quality Commission).
  - Give oversight and coordination of relevant information from their own agency including investigation reports, chronologies, IMRs and single agency actions.
  - Identify relevant frontline practitioners with direct involvement who may need to contribute to the SAR.
  - Identify any parallel processes, ongoing or planned, and establish links as appropriate.
  - Consider how the adult, family members and/or advocates can be involved in the SAR, including any issues relating to Duty of Candour.
  - Develop a media and communications plan with appropriate advice and any publishing considerations.
- 7.5 The SAR Panel Chair is responsible for coordinating the SAR Panel and ensuring that the final report based on the evidence that the SAR Panel decides is relevant.

## 8. SAR Process – The SAR Report

- 8.1 The SAR Report brings together the learning and the themes identified during the SAR Process. It should provide analysis and comment on practice and the systems used to safeguard and promote the welfare of the adult.
- 8.2 The SAR Report should;
- Provide an overview of the case, including a summary of the circumstances that led to the SAR being undertaken.
  - Outline briefly the methodology and SAR Process including how the views and participation of stakeholders were taken into account.
  - Identify how agencies worked with the adult, drawing out any common themes, significant failings and recognised good practice.
  - Identify actions that agencies/services have already undertaken in response to learning.
  - Provide recommendations that are relevant on a multi-agency basis that are SMART<sup>3</sup>. Recommendations should be developed in consultation with the organisation that they relate to.
- 8.3 The SAR Panel will agree the key learning points of the SAR that are included in the SAR Report. They will support the development of the report by the SAR Panel Chair by reviewing draft versions and shaping the final recommendations.
- 8.4 SAR Panel Members only should be sighted on draft reports. Progress of the SAR will be reported at the quarterly WSAB Main Board meetings to ensure that WSAB Members are sighted on the progress, arising issues and general themes of the review.

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<sup>3</sup> Specific, Measurable, Achievable, Realistic and Time-specific



- 8.5 SAR panel representatives will have the opportunity to quality assure factual accuracy and interpretation of their agency's involvement. Whilst the sharing of the report is not permitted outside of the panel, consultation is permitted in relation to specific events, or accuracy of specific text.
- 8.6 Where concerns arise regarding the process, panel members should raise them in the first instance with the SAR Panel Chair. If the SAR Panel Chair has concerns they will discuss them with the SPM. Unresolved issues should be managed using the SAB escalation process.
- 8.7 Where appropriate, the final draft of the report should be shared with the adult, family members and/ or advocates for comment and views on publication prior to submission to the Board. Where possible, this should be facilitated by a professional with an established relationship and consideration must be given to the support required to understand and respond to the report.
- 8.8 The Panel should agree the final draft of the report that is sent to WSAB Main Board for ratification. The ratification process will ensure that the SAR report meets the expected quality standards (SCIE).

## 9. SAR Process – SAR Ratification, recommendations and accountability

- 9.1 Once the final draft of the report has been agreed by the SAR Panel, the draft report should be shared with the WSAB Members at WSAB Main Board for ratification. This should be presented by the SAR Panel Chair, or an agreed representative of the SAR Panel.
- 9.2 The formal sign off at WSAB Main Board provides a further opportunity for wider comment and ratification.
- 9.3 At the point of ratification, WSAB Members take ownership of the findings of the report. WSAB Members are responsible for agreeing how the recommendations will be responded to and actions required (both as single agencies and from a multi-agency perspective). Where there are external agencies outside of the WSAB for whom recommendations are made, the WSAB Members must agree how to approach these actions and request a response from the relevant agency.
- 9.4 Development of a multi-agency action plan against the recommendations will be commissioned by the WSAB Main Board through the relevant sub groups, alongside the monitoring of progress against single-agency action plans.

## 10. SAR Process – SAR Report Publication

- 10.1 There is a statutory duty to publish the findings of SAR's, however the method of publication and the extent of publication is decided by WSAB Members.

- 10.2 SAR Report publication may be impacted by other parallel processes such as criminal proceedings/ court cases, alongside data sensitivity issues that may impact on those who have been impacted by the case. Whilst publication of the report may be held for publication, the lessons learnt and recommendations can be taken forward once the WSAB Members have agreed the report.
- 10.3 Decisions in relation to publication will consider the view of the SAR Panel, the adult, family members and/ or advocates and any potential impact on those involved in the case.
- 10.4 WSAB Members will consider how findings of the SAR will be disseminated to interested parties, and will confirm to whom the SAR Report will be made available. It is expected that WSAB Members will disseminate learning within their agencies, implement identified actions and de-brief and support practitioners involved in the case.
- 10.5 General themes and outcomes of SAR's will be reported in the WSAB Annual Report, with overviews and any resulting practice guidance/ resources for practitioners made available on the WSAB website.
- 10.6 WSAB will also contribute information on the SAR to the national SAR repository, collated by SCIE to support the wider safeguarding agenda.

## 11. SAR Process – Action Plans and Monitoring

- 11.1 The development of a multi-agency action plan is commissioned by the WSAB Main Board. This will usually be tasked to the SARL Group who will ensure that actions are developed and monitored to meet the recommendations in the SAR Report.
- 11.2 SARL Group will also seek assurance that single agency identified actions are completed and any barriers or delays are addressed.
- 11.3 Progress against the action plan, and exception reporting will be made to the WSAB Executive Group. The WSAB Executive Group will also receive a report at the point that all actions have been signed off as completed.

## Appendix A: Process flowchart

