

**Kingston Safeguarding Adults Board
Safeguarding Adults Review (SAR) Policy and Process Document**

1. Statutory and Legislative Requirements

1.1 The Care Act 2014 requires a Local Safeguarding Adults Board to arrange for a Safeguarding Adults Review (SAR) whereby the criteria as laid out in s.44 of The Care Act 2014 has been met. This criteria is outlined below;

1.2 A SAB must 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:

1.3 There is reasonable cause for concern about how the SAB, members of it or other persons with relevant functions worked together to safeguard the adult, and

1.4 Condition 1 or 2 is met.

1.5 Condition 1 is met if: The adult has died, and

1.5a The SAB knows or suspects that the death resulted from abuse or neglect (whether or not knew about or suspected the abuse or neglect before the adult died). **[Mandatory SAR criteria 1]**

1.6 Condition 2 is met if:

1.6a The adult is still alive, and

1.6b The SAB knows or suspects that the adult has experienced serious abuse or neglect. **[Mandatory SAR criteria 2]**

1.7 A SAB may arrange for there to be a review of any other 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). **[Non-Mandatory / Discretionary criteria].**

2. Purpose of a SAR

2.1 The Care Act 2014 Statutory Guidance s.14.168 – 14.173 states;

2.2 (s.14.168) SARs should seek to determine what the relevant agencies and individuals involved in the case might have done differently that could have prevented harm or death. This is so that lessons can be learned from the case and those lessons applied to future cases to prevent similar harm occurring again. Its purpose is not to hold any individual or organisation to account. Other processes exist for that, including criminal proceedings, disciplinary procedures, employment law and systems of service and professional regulation, such as CQC and the Nursing and Midwifery Council, the Health and Care Professions Council, and the General Medical Council.

2.3 (s.14.169) It is vital, if individuals and organisations are to be able to learn lessons from the past, that reviews are trusted and safe experiences that encourage honesty, transparency and sharing of information to obtain maximum benefit from them. If individuals and their organisations are fearful of SARs their response will be defensive and their participation guarded and partial.

2.4 (s.14.170) The process for undertaking SARs should be determined locally according to the specific circumstances of individual circumstances. No one model will be applicable for all cases. The focus must be on what needs to happen to achieve understanding, remedial action and, very often, answers for families and friends of adults who have died or been seriously abused or neglected. The recommendations and action plans from a SAR need to be followed through by the SAB.

2.5 (s.14.171) The SAB should ensure that there is appropriate involvement in the review process of professionals and organisations who were involved with the adult. The SAR should also communicate with the adult and, or, their family. In some cases it may be helpful to communicate with the person who caused the abuse or neglect.

2.6 (s.14.172) It is expected that those undertaking a SAR will have appropriate skills and experience which should include:

- strong leadership and ability to motivate others
- expert facilitation skills and ability to handle multiple perspectives and potentially sensitive and complex group dynamics
- collaborative problem solving experience and knowledge of participative approaches
- good analytic skills and ability to manage qualitative data
- safeguarding knowledge
- inclined to promote an open, reflective learning culture

2.7 (s.14.173) The SAB should aim for completion of a SAR within a reasonable period of time and in any event within 6 months of initiating it, unless there are good reasons for a longer period being required; for example, because of potential prejudice to related court proceedings. Every effort should be made while the SAR is in progress to capture points from the case about improvements needed; and to take corrective action.

2.8 In summary, the Kingston SAB agree that SARs are about learning and **not** about blame. SARs should have a systems focus with the aim of developing safe systems. The focus of a SAR should not be on the practice of individual practitioners. SARs should be multi-agency. Where the learning is single agency, a SAR will not be commissioned but other forms of learning considered in order to ensure lessons are learned.

3. THE SAFEGUARDING ADULT REVIEW SUB-GROUP

3.1 The SAB delegates decision-making in relation to whether cases meet the criteria for a SAR to a sub-group of the Kingston SAB namely, The Safeguarding Adult Review Sub-Group. A referral form must be completed for a case to be considered. This group will discuss the case in detail and will make a recommendation to the Independent Chair as to whether s.44 of The Care Act 2014 criteria are met.

3.2 The SAR Sub-Group recommendation must be ratified by the Independent Chair, representing the SAB. Where there is a dispute or disagreement in relation to whether the SAR criteria are met, the Independent Chair may take the decision in consultation with the Kingston SAB Executive group.

3.3 The primary function of the SAR sub group is to consider new referrals. However, the group also has a role in the early stages of 'initiating' a Safeguarding Adult Review to include;

- Recommending to the Chair the appropriate methodology of the SAR.
- Recommending to the Chair the system of oversight of the SAR process (e.g. a panel).
- Recommending to the Chair which agencies should be involved in the SAR.
- Recommending to the Chair the time period for the SAR.
- Recommending to the Chair the skills required from an Independent Reviewer.

3.4 Members of the SAR sub group will have the knowledge, skills and experience required to consider whether referrals meet the criteria as laid out in s.44 of The Care Act 2014. This must include the statutory partners for quorate decision-making.

3.5 Referrals for cases to be considered to become Safeguarding Adult Reviews will be considered in the order that they are received, unless there are good reasons to prioritise one referral over another. Each referral received will be allocated to the next available meeting. The referrer will be informed of which meeting the case has been allocated to.

4. The Legal Duty for Agencies to Share Information for a SAR

4.1 (s.45 of) The Care Act 2014 states;

Supply of information

(1) If an SAB requests a person to supply information to it, or to some other person specified in the request, the person to whom the request is made must comply with the request if—

- (a) conditions 1 and 2 are met, and
- (b) condition 3 or 4 is met.

(2) Condition 1 is that the request is made for the purpose of enabling or assisting the SAB to exercise its functions.

(3) Condition 2 is that the request is made to a person whose functions or activities the SAB considers to be such that the person is likely to have information relevant to the exercise of a function by the SAB.

(4) Condition 3 is that the information relates to—

- (a) the person to whom the request is made,
- (b) a function or activity of that person, or
- (c) a person in respect of whom that person exercises a function or engages in an activity.

(5) Condition 4 is that the information—

- (a) is information requested by the SAB from a person to whom information was supplied in compliance with another request under this section, and
- (b) is the same as, or is derived from, information so supplied.

(6) Information may be used by the SAB, or other person to whom it is supplied under subsection (1), only for the purpose of enabling or assisting the SAB to exercise its functions.

4.2 Safeguarding Adult Reviews are a legitimate function of Safeguarding Adult Boards and therefore s.45 of The Care Act 2014 applies in relation to the supply of information to inform Safeguarding Adult Reviews. Where an agency does not share information, legal action will be considered.

5. Contact with Family / The Subject of the SAR

5.1 The Care Act 2014 Statutory Guidance 14.165 states (in relation to SARs); “Early discussions need to take place with the adult, family and friends to agree how they wish to be involved. The adult who is the subject of any SAR need not have been in receipt of care and support services for the SAB to arrange a review in relation to them”.

5.2 The Independent Chair of the Safeguarding Adults Board will meet the family members (and if the person has not died, the adult who is the subject of SAR) at the start of the SAR Process. The purpose of this meeting is to inform the family that a Safeguarding Adult Review is in the process of being initiated. The Business Manager of the Safeguarding Adults Board may also attend this meeting. The purpose of the meeting is to clearly outline to family members what a SAR is and what a SAR is not, so that the SAB can be confident that the purpose is understood by family members. The family will be informed from the outset, that the intention is for the SAR to be published but that the family view will be taken into account in relation to publication. The Chair will obtain the family view on how the SAR should refer to the person.

5.3 The Independent Reviewer will be invited to meet the family members (and if the person has not died, the adult who is the subject of SAR) to gain an insight of the individual and hear the family views of what happened. Where possible, the Business Manager of the SAB should also be present.

5.4 The independent reviewer and SAB manager will offer to meet with the family once the panel has signed off the report. This will be an opportunity to inform the family about the findings and learning from the review. During this meeting, the SAB manager will ask the family their view in relation to publishing the SAR and ensure that their views are shared with the SAB when considering publication.

5.5 Where there are concerns about the appropriateness of meeting the family, this will be discussed at the next available SAB Executive Meeting who may agree that meetings will not take place and record the reasons for this decision within SAB records.

5.6 Family members of the SAR subject will not, under any circumstances, be invited to the SAB Sub-Groups or any arranged panel meetings / QA meetings which oversee the SAR. These meetings must remain a space for professional discussion.

5.7 Where a family member wishes to raise any questions in relation to the SAR process they should write to the Business Manager of the SAB who will respond within 15 working days. The family will also have the opportunity to meet with the Independent Chair of the SAB, if they have further questions or concerns. Where the family wishes to make a complaint about SAR decision making, the management of an agreed SAR or the final report, this will fall under the SAB complaints process and the family member will be directed to this process.

5.8 In relation to the family's involvement in a SAR or making a complaint, advocacy to the family will be offered and funded by the SAB if this is required.

5.9 In relation to any meeting with family members, permission will not be granted for meetings to be recorded by any means. A written record will be made of the meeting which will be sent to the family for comment and agreement.

6. Governance

6.1 Parallel Process

6.1a The Care Act 2014 statutory guidance 14.174 – 14.176 states; (14.174) When victims of domestic homicide are aged between 16 and 18, there are separate requirements in statutory guidance for Local Safeguarding Child Practice Reviews in Working Together 2023 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 LCSPRs can be managed in parallel in the most effective manner possible so that organisations 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 organisations involved.

6.1b (14.175) In setting up a SAR the SAB should also consider how the process can dovetail with any other relevant investigations that are running parallel, such as a Local Safeguarding Child Practice Review, DHR, a criminal investigation or an inquest.

6.1c (14.176) It may be helpful when running a SAR and DHR or Local Safeguarding Child Practice Review] in parallel to establish at the outset 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 manager of the SAR to ensure contact is made with the Chair of any parallel process in order to minimise avoidable duplication.

6.1d Recent changes to Working Together (2023) ask Safeguarding Children Partnerships to consider undertaking a review process of young adults that die who meet a certain criteria. The SAB will need to consider this parallel process should a SAR be agreed in relation to a young adult that meets this criteria.

6.1e Along with other local authorities, Kingston has reviews the deaths of people who have abused illicit substances and reviewing deaths of people who are homeless. The Integrated Care Board continue to review the deaths of people with Autism and a learning disability. The SAB will need to consider how SARs should interact with any reviews being undertaken in relation to these areas.

6.2 Quality Markers

6.2a The SCIE Quality Markers will be used to ensure the SAR process is conducted effectively, ensure that the completed SAR is of sufficient quality and to enable learning to be taken forward. The SCIE Quality Markers were refreshed in 2023 and can be found here; <https://www.scie.org.uk/safeguarding/adults/reviews/quality-markers/list/>

6.3 Sign Off

6.3a When the SAR has been completed, the Panel will be responsible for 'sign off' before the SAR is presented to the SAB for final approval by the board. Where there is no panel in place to manage the SAR, a Quality Assurance (QA) Meeting will be arranged for 'sign off'. Sign-off by the final panel / QA Meeting can be defined as; partner agreement that the SAR is of sufficient quality and adheres to the Terms of Reference. It is also a meeting to turn recommendations of the SAR into achievable multi-agency actions which should be taken to the SAB for agreement. The SAR will not be presented again to the SAR sub-group, whose primary function is consideration of referrals and for initiating the SAR. The SAR will not be shared with any person (either professionals or family members) until such time that the final report has been agreed by the SAB (and the sharing of the report has also been agreed). There may be occasions where this responsibility will fall to the Executive Sub-Group. Where this has occurred, the SAB will be notified under the standing item; 'SAB Executive Decisions'.

6.4 Publication

6.4a The Care Act Statutory Guidance 14.139 states, "Each SAB should:..... carry out safeguarding adult reviews and determine any publication arrangements". Decision making around publication will be made by the Safeguarding Adult Board. Publication is defined as putting the final agreed version of the SAR on the Safeguarding Adult Board website where it will remain published for a period of 12 months. If published on the Board website, the report will also be made available for publication in the National SAR Library website.

6.4b There may be circumstances where the SAB decides not to publish a SAR. Where this decision is taken, the reasons for this will be clearly recorded in SAB records and the family informed (if deemed appropriate by the SAB).

6.4c The SAB will decide if a SAR will be published in its entirety or whether publication will be restricted to an Executive Summary or a shortened briefing format. A SAB response should be published alongside the SAR and progress in relation to actions arising from the recommendations should be reported on within the annual report.

7. Dissemination and Embedding the Learning of Safeguarding Adult Reviews

7.1 When the SAR, action plan, communications plan and publication arrangements have been agreed at the Safeguarding Adults Board; SAB partners will also be asked to ensure that the SAR is highlighted to front line staff in their respective organisations.

7.2 Each agreed SAR will be a standing item on the agenda of each SAB for four SAB meetings following final sign-off. Each partner of the SAB will be held to account as to;

- How they have disseminated the learning from the SAR in their organisation.
- What changes have been made in their organisation as a result of the SAR.
- Reporting on any progress in relation to actions agreed by their organisation.
- At the fourth and final SAB meeting, the above information will be collated in a final SAR report and published in the annual report to demonstrate the impact of the SAR on local policy and practice.

Appendix: SAR Process Document

A The Referral Process (including preparation)

A1. Any agency, professional or member of the public may ask the SAB to consider whether a case meets the criteria for a Safeguarding Adult Review. Cases should be sent to the dedicated SAR email inbox sar.referral@kingston.gov.uk. To ensure good governance, a referral form must be completed. Other documents will not be accepted without an accompanying referral form.

A2. Cases will be discussed at the next available SAR Sub-Group meeting. A maximum of two cases can be considered at each SAR Sub-Group meeting. Where the next meeting already has a full agenda, the case will be discussed at the following meeting. SAR Sub-Group meetings are held bi-monthly (6 times per year). The referrer will be told what meeting the case will be discussed in as soon as practicable.

A3. Prior to the case being discussed at the SAR Sub-Group meeting, research will be conducted to ensure that the sub-group has sufficient information to make a recommendation as to whether the SAR criteria are met. Research requests will be coordinated by the SAB Business Team who will approach agencies to ask if the individual is/was known to their service with a request to complete the research form if known. Completed research forms will be circulated out with the agenda pack as pre-reading. In order to maintain an orderly meeting, contributors to the research will not ordinarily be invited to the SAR sub group, unless agreed by the Chair of the sub group.

B The Decision Making Process

B1. As per the SAR Policy; The SAB delegates decision-making in relation to whether cases meet the criteria for a SAR to the SAR review Sub-Group. Attendees will be asked to declare any conflicts of interest which will include any previous involvement in relation to the case being discussed. This group will discuss the case in detail and will make a recommendation to the Independent Chair as to whether s.44 of The Care Act 2014 criteria are met and whether the case meets the mandatory or non-mandatory / discretionary criteria.

B2. The SAR sub group recommendation must be ratified by the Independent Chair, representing the SAB. The Independent Chair will be sent the completed case research and the SAR Sub Group Meeting Notes (once agreed) and will make a decision on behalf of the SAB as to whether the SAR criteria are met, taking into account the recommendation from the group. Where there is a dispute or disagreement in relation to whether the SAR criteria are met, the Independent Chair may take the decision in consultation with the Kingston SAB Executive group. The decision of the Chair will be shared with the Sub-Group at the next meeting.

B3. Where the Independent Chair agrees that the case does not meet the criteria for a SAR, the rationale for the decision will be recorded and shared with the referrer. A record will be

kept of the referral and the outcome and held by the SAB.s The themes from the referrals will be recorded in the thematic action plan/log for future consideration.

C Initiating a SAR

C1. The SAR Sub-Group has a role in initiating the SAR. Once the SAR is agreed and the recommendation ratified by the Independent Chair, the SAR Sub-Group will agree;

- Whether there are any parallel processes which may need to be taken into account in relation to the type of Review undertaken or the timing of the Review.
- If there is agreement the SAR may proceed the SAR Sub-Group should outline a Terms of Reference for the SAR, clearly stating what the overarching theme(s) of the SAR will be. It is expected that the key lines of enquiry will be proportionate to the level of agency involvement and length of time since the event that has led to the SAR referral. The key lines of enquiry will need to focus on how the individual's experience can provide a 'window on the system' for Kingston.
- The SAR Sub-Group will propose the approach to be taken for the review and outline the rationale for this recommendation.
- The SAR Sub-Group will agree whether a Panel will be set up to manage the SAR or whether the SAR will be managed by the SAR Sub –Group and a Quality Assurance meeting at the end of the process (dependent on mandatory/non-mandatory SAR, complexity and methodology).
- The SAR Sub-Group will identify the agencies that should be involved in the SAR.
- The SAR Sub-Group will identify the relevant time period of the SAR.
- The SAR Sub-Group should outline the relevant knowledge, skills and experience any independent reviewer would require in order to ensure the SAR will be a meaningful process and ensure that lessons are learned.

C2. The SAR is formally initiated after the Independent Reviewer has been selected, signed their contract and the Terms of Reference has been agreed and formally signed off by the Independent Chair representing the SAB (normally after Panel 1).

D Undertaking and Managing the SAR (Process)

D1. The SCIE Quality Markers will be used to ensure the SAR process is conducted effectively to enable learning to be taken forward;

<https://www.scie.org.uk/safeguarding/adults/reviews/quality-markers/list/>

D2. The Safeguarding Adult Review will be informed by;

- a) Agency Chronologies and summary of involvement, signed off by their organisation. This should highlight good practice and learning.
- b) Individual Management Reviews will only be used if there are considerable complexities.
- c) A practitioner event involving frontline staff, not managers, from all the relevant agencies. This will be facilitated by the independent reviewer and create a safe space for practitioner reflections. All SAB members will be expected to release staff for the events. There will be the option for a further learning event with managers and leaders from the agencies. In some situations, it will not be possible to hold a practitioner event.

In these circumstances, the rationale will be documented in the terms of reference. There should still be a wider learning event held.

- d) If necessary, conversations with individual agencies or staff will be undertaken by the reviewer.
- e) Other documentation which might be relevant (assessments, review documents, audits, records) which must be sent to the Business Manager of the SAB.

D3. To ensure good governance, under no circumstances must information be shared directly with the Independent Reviewer by any agency. All information must be sent to the SAB Business Manager.

D4. In the majority of cases, the SAR Panel will oversee the progress of the SAR.

D5. Where a Panel is not in place, the SAR Sub-Group must take the role of the SAR Panel in relation to the management of the SAR (see D7). Where this is the case, a Quality Assurance Event must be scheduled at the end of the process to recommend to the SAB the local actions arising from the recommendations. This will replace 'Meeting 4'.

D6. Before the SAR Panel meets for the first time, the Independent Chair and the Business Manager of the SAB should meet with the family members. If the person is still alive, the Independent Chair should meet with them in addition to the family. The purpose of this meeting is to inform the family (and the person where applicable);

- What a SAR is (and what a SAR is not).
- The SAR process.
- Timescales.
- Ascertain how the family wish to be involved.
- Ask the family their thoughts and feelings in relation to the SAR.
- Outline from the outset, the intention to publish.
- Invite the family to put forward how the person should be referred to in the SAR.

D7. The SAR Panel will be formed of individuals put forward by their organisations. This should be a person best placed to represent their organisation and manage the SAR. The individual must take responsibility for ensuring they understand their role as a panel member. The person should have the authority to speak on behalf of their organisation and be prepared to take actions away. The Independent Reviewer will chair panel meetings with support from the Business Manager of the Safeguarding Adults Board. The Panel should meet on the following occasions;

- **Meeting 1:** Agree the Terms of Reference (these must be approved by the Independent Chair). Within the Terms of Reference it must be outlined;
 - a) The agencies that will be approached to produce a chronology and summary of involvement or management review.
 - b) The time period for consideration by agencies.
 - c) How long agencies will have to submit their individual agency information.
 - d) Highlight the areas of focus for the Independent Reviewer.

The Terms of Reference will then be formally signed off by the Independent Chair, at which point the SAR is considered 'initiated'.

- **Meeting 2:** The completed combined multi-agency chronology will be shared with the Independent Reviewer and the Panel. **Meeting 2** will take place after these documents have been circulated to Panel Members and the Independent Reviewer. The Multi-Agency Practitioner Learning Event or a Multi-Agency Management Learning Event should be agreed at this meeting, including when the event(s) will take place. It should also be agreed at this meeting if/when the Independent Reviewer should meet with the family members with the SAB Business Manager in attendance.
- **Meeting 3:** This meeting will take place after the Independent Reviewer has;
 - a) Met with the family (if applicable)
 - b) Had conversations with individual agencies (if applicable)
 - c) Facilitated the Multi-Agency Practitioner Learning Event and Multi-Agency Management Learning Event
 - d) Obtained the further information agreed at Panel 2 (via the Business Manager of the SAB).
 - e) Produced a draft SAR with draft recommendations and circulated to Panel Members (via the Business Manager of the SAB).

At this meeting, The Panel will discuss the outcome of the agency conversations, learning events, further information obtained and the draft SAR. The Panel will form a collective view as to whether the draft report meets the Terms of Reference and comment on the recommendations. The Panel will agree constructive feedback for the Independent Reviewer and request a finalised SAR.

- **Meeting 4:** This will be the final Panel meeting before the SAR is presented to the SAB for final sign-off. The purpose of this meeting is to ensure the SAR;
 - a) Is of sufficient quality to be presented to the SAB.
 - b) Meets the Terms of Reference.

The Panel should consider the high level recommendations in the SAR and turn these into a local action plan to be presented to the SAB, alongside the SAR, for agreement. The panel will then be discharged.

D8. The Independent Reviewer will meet the family with the Business Manager in attendance, to share with them the final version of the SAR and ask for the family view in relation to quality and publication before the SAR is presented to the SAB.

D9. The Independent Reviewer will be asked to present the final version of SAR at the next available Safeguarding Adults Board for final agreement. The role of the SAB will be to;

- Agree the SAR.
- Agree the Action Plan.
- Agree a SAB response.
- Agree the publication and any sharing arrangements for the SAR (including the communication plan, publication date and board response).
- Agree how partners will disseminate the SAR in their organisations to ensure learning.
- Agree that the SAR will be a standing item at the next four SAB meetings and agencies will be asked to report on progress against the actions and the steps they have taken to disseminate the SAR and learning in their respective organisations.

E Reporting on Actions and Progress

E1. As per the statutory guidance, progress in relation to actions, system changes and assurance will be reported on within published annual reports.

F Complaints / Requests for Information

F1. All complaints should be directed to the Independent Chair in accordance with the SAB Complaints policy.

F2. The SAR and all SAR processes are 'owned' by the SAB. Any approach made to any partner of the SAB by a legal firm, a journalist or members of the public (including family members) in relation to SAR activity, they should be asked to send their enquiry to KSAB@Kingston.gov.uk for the Independent Chair to respond on behalf of the SAB.

F.3 Multi-agency activity in relation to Safeguarding Adult Reviews is not subject to Freedom of Information Requests. Any FOI requests in relation to Safeguarding Adult Reviews or SAR decision making should be referred to the Independent Chair as soon as practicable.

F.4 Once a SAR is completed, a communications strategy will be agreed by the SAB. This is particularly important in the event a SAR is published.

