

CONSTITUTION

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1. Title

- 1.1 The Committee will be entitled the South Lanarkshire Adult Protection Committee (herein referred to as “the Committee”).
- 1.2 The Committee is established under S.42 of The Adult Support and Protection (Scotland) Act 2007 which stipulates that: “Each Council must establish a committee (an “Adult Protection Committee”)....
- 1.3 The Adult Support and Protection (Scotland) Act 2007 provides a legal definition of “adults at risk” as adults (aged 16 years or over) and referred to as the three point criteria who:
 - Are unable to safeguard their own well-being, property, rights or other Interests;
 - Are at risk of harm; and
 - Because they are affected by disability, mental disorder, illness or physical or mental infirmity, are more vulnerable to being harmed than adults who are not so affected.
- 1.4 All three conditions of the set criteria must be met to meet the definition of “adult at risk”.

2. Aim

- 2.1 Within the local authority area of South Lanarkshire the Committee will, in accordance with any statutory requirement, regulation or guidance, contribute to the protection and welfare of adults at risk of harm through collaboration amongst agencies, government and the general public. Further, in line with the National Health and Wellbeing Outcomes, the committee will aim to provide better outcomes to vulnerable adults who use health and social care services by keeping them safe from harm.

3. Vision

- 3.1 By working together to promote health, care and wellbeing we aim to support and protect adults at risk of harm in South Lanarkshire.

4. Functions

- 4.1 The statutory functions of the Committee are to:
- 4.2 Keep under review the procedures and practices of member agencies that relate to the safeguarding of adults at risk in South Lanarkshire;
- 4.3 Provide information and advice or make proposals to any member agency or relevant body on the exercise of functions that relate to the safeguarding of adults at risk;
- 4.4 Promote the improvement of skills and knowledge of staff providing services to adults at risk:

4.5 Respond to the requirements of Scottish Ministers as appropriate

5. Responsibilities

- 5.1 The statutory responsibilities of the Committee will be undertaken by:
- 5.2 Ensuring the statutory requirements of The Adult Support and Protection (Scotland) Act 2007 are being met within the South Lanarkshire partnership.
- 5.3 Ensuring the development and implementation of a multi-agency strategy for Adult Protection across the South Lanarkshire area.
- 5.4 Ensuring that the implementation of a multi-agency strategy for Adult Protection is congruent with single agency objectives, responsibilities and strategies.
- 5.5 Ensuring that member agencies have processes in place to inform their staff of new legislation, codes of practice, reports, and examples of best practice in relation to Adult Protection.
- 5.6 Ensuring that agreed standards of multi-agency collaborative practice in Adult Protection are issued and met.
- 5.7 Ensuring the production, distribution, and regular review of agreed procedures, guidance, codes of practice and protocols in relation to Adult Protection.
- 5.8 Agree, implement and review multi-agency quality assurance mechanisms which impact on the provision of services for adults at risk; making recommendations in the light of this work and ensuring that improvements are implemented.
- 5.9 Monitoring and reviewing information gathered through Adult Protection monitoring systems including outcomes and providing related information to the Scottish Government and other external bodies as required.
- 5.10 Producing and disseminating information on the protection of adults at risk to the general public through the development and implementation of a communication strategy.
- 5.11 Agreeing and Progressing Significant Case Reviews (SCR) with a view to ensuring that relevant lessons are learned; directly informs training and development and is integrated into policies, protocols and future practice.
- 5.12 Ensuring that inter-agency training needs, i.e. statutory, voluntary and independent agencies, are identified and met through the implementation of an inter-agency training strategy.
- 5.13 Providing a multi-agency consultation and advisory service to operational staff in constituent agencies, including voluntary and private organisations, on all aspects of Adult Protection.
- 5.14 The Chair, in consultation with partners, will provide a Biennial Report and agree its dissemination to relevant agencies and/or individuals, the APC will produce any other reports as required/ commissioned.

- 5.15 Promoting direct links between Adult Protection, Child Protection and Offender Management Services (MAPPA) on a multi-agency basis and sharing knowledge, skills and learning with other Adult Protection Committee

6. Membership

- 6.1 Core Membership of the Committee will comprise:
- South Lanarkshire Council;
 - South Lanarkshire Council Elected Member
 - NHS Lanarkshire and The State Hospital Boards
 - Voluntary Action South Lanarkshire
 - The Chief Constable, or his representative, of the Police Scotland for the South Lanarkshire area;
 - Any other public body or office holder as the Scottish Ministers may by order specify.
- 6.2 South Lanarkshire Health and Social Care Partnership and Police Scotland will provide a representative on the Committee.
- 6.3 The Committee may also include such other persons who have the skills and knowledge relevant to the functions of the Committee and may include representation from identified General Practitioner representative, voluntary and private sector and users and carers, as appropriate.
- 6.4 Constituent agencies should ensure that their representative is of sufficient seniority, and/or is delegated relevant authority and responsibility on behalf of the agency to make decisions and where necessary, policy and resource commitments on behalf of their agency in the course of the work of the Committee
- 6.5 The committee members will undertake two development sessions per year to promote and review appropriate partnership working

7. Quorum

- 7.1 Meetings of the Committee will be quorate for business when five or more of the agency representatives are present, providing that two of the three public agencies, NHS Lanarkshire, South Lanarkshire Council and Police Scotland are represented

8. Chair

- 8.1 The Chair of the Committee will be appointed by the Chief Officers Group and will be remunerated by the council however remain independent of the Council.
- 8.2 The Chair is responsible for the convening and conduct of meetings of the Committee in accordance with the Constitution
- 8.3 The Chair will represent the Committee and its interests as required at external meetings and functions and to the wider public, including communication with the press or media.
- 8.4 The Chair will act on behalf of the Committee to implement the decisions of

the Committee including dealing directly with any of the constituent agencies or the recommendations of the Committee on any aspects of the inter-agency system or the operations of its constituents.

- 8.5 The Chair will report to the South Lanarkshire Chief Officers Group on a regular basis on the work of the Committee.
- 8.6 The Chair of the Committee and the Adult Protection Co-ordinator will attend meetings of the South Lanarkshire Chief Officers' Group on a quarterly basis.
- 8.7 The Chair is responsible in collaboration with others to produce a Biennial Report to submit to the Scottish Government and share with the committee and the Chief Officers' Group.

9. Vice-chair

- 9.1 The Vice-chair will be proposed and seconded by the Committee and reviewed on a biennial basis. They will be someone who holds a senior position within their organisation and has a breadth of knowledge, experience and skills in the adult protection arena.
- 9.2 In the absence (for whatever reason) of the Chair, the Vice-chair will assume the range of responsibilities normally carried by the Chair.
- 9.3 In the event of both the Chair and the Vice-chair being absent from a meeting the Committee will, by majority decision, appoint a temporary Chair from the agency representatives on the Committee.

10. Roles and responsibilities of agency representatives

- 10.1 To represent their agency at meetings of the Committee and contribute to decision-making with the full authority of their agency as delegated by its Chief Executive/Officer.
- 10.2 To fully engage and support the work of the Committee and its working groups between meetings.
- 10.3 To ensure, in partnership with others, that the multi-agency strategy and business plan in relation to Adult Protection is implemented in accordance with the decisions of the Committee.
- 10.4 To ensure, in partnership with others, that agreed standards of practice in Adult Protection are met and sustained.
- 10.5 To facilitate the exchange of information, views and understanding of Adult Protection issues between their agency and the Committee.
- 10.6 To be aware of current issues concerning Adult Protection and their relevance to the work/deliberations of the Committee.
- 10.7 A permanent substitute will attend the Committee when the representative is unable to attend.

- 10.8 To arrange for minutes of Committee meetings to be available to relevant agency staff as appropriate
- 10.9 To undertake self evaluation activities and gather evidence of positive outcomes and challenging areas for improvement
- 10.10 To agree improvement plans in accordance with the committee priorities and audit activities

11. Committee meetings

- 11.1 Committee meetings will be convened no less than quarterly and chaired according to the Constitution of the Committee. In addition the committee will undertake two development sessions per annum.
- 11.2 Responsibility for the organisation and servicing of committee meetings will lie with the Adult Protection Lead Officer. The agenda and notice calling each meeting shall be issued no less than 7 days before the date of the meeting. If a notice of meeting is not received by any member the meeting shall still be valid. Taking and distributing minutes will be the responsibility of the Adult Protection
- 11.3 Minutes will be taken at all meetings of the Committee arranged by the Lead Officer. The minute of each meeting shall be reported to the next following meeting for approval.
- 11.4 The Committee will be required, at times, to discuss operational matters relating to individual adults at risk or service providers (such as when reviewing significant cases). The identity of individuals and/or agencies under discussion should be protected as far as possible. Any such discussions will be treated as confidential and privileged by members of the Committee.

12. Working groups

- 12.1 The Committee may, at any stage, establish working groups, standing or a task and finish group to progress the work of the Committee on any issue on its behalf. Membership of such working groups will be by agreement of the Committee and may include individuals drawn from out with the membership of the Committee itself.
- 12.2 The Committee will stipulate the remit, the membership and the timescale to which the working group will operate (short-life or permanent).
- 12.3 The Committee will elect the Chair of the working group. The working group will elect a Vice-chair to ensure continuity of work in the absence of the Chair.
- 12.4 The Chair of the working group will ensure that the remit agreed by the Committee is progressed within the timescales agreed; a highlight report will be presented to the Committee at appropriate intervals to suit the work of the committee and a minute of the working group meeting is kept for future reference.

- 12.5 Membership of the working groups will, as far as is possible, include representation from South Lanarkshire Council, the Police and the Health Service.
- 12.6 Representatives on working groups will be drawn from staff with particular responsibilities for Adult Protection within their agency and who engage in local implementation of multi-agency Adult Protection strategies.
- 12.7 The standing working groups will be reviewed by the full committee annually and adjustments will be made as required
- 12.8 It is the responsibility of the organisation to ensure ring fenced time is made available for sub-group members to take forward the allocated work delegated to them

13. Agenda items

- 13.1 Agency representatives on the Committee can raise issues on behalf of their agency by either placing the item on the agenda for the Committee meeting or raising it as an item of 'any other business' during a Committee meeting. Items should be placed on the agenda of the Committee by contacting the Adult Protection Lead Officer.
- 13.2 Items should be placed on the agenda of a sub group by contacting the Chair of the relevant sub group concerned.
- 13.3 Should any disputes arise which cannot be resolved by the Committee, members can request that the issue is raised by the Chair at the Chief Officer's Group.

14. Adult Protection Lead Officer

- 14.1 The Adult Protection Lead Officer will support the implementation of the core functions of the Committee by taking forward specific tasks as identified by the Committee and/or the Chair.

15. Further provisions

- 15.1 The Constitution, structure and scope of responsibility of the Committee or its offices may be subject to change as a result of changes in national policy directives, legislative provision or local exigencies.
- 15.2 Proposed amendments to the Constitution should be submitted in writing to the Chair of the Committee. Proposed amendments should have been first approved by the member's agency. If approved by South Lanarkshire Council, NHS Lanarkshire and the representative of Police Scotland, the amendments will be accepted into the Constitution.