

North Somerset Multi-Agency Adult Safeguarding Procedures



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Safeguarding Adults Review Policy and Procedure

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1. Introduction

1.1. The purpose of this document

This document has been created as part of an evaluation of the Safeguarding Adult Review (SAR) processes in North Somerset. This review forms apart of the recommendations from a SAR published in 2023. This document will assist all participants that are involved in the work of SAR's in North Somerset to have a better understanding of

1. the policy and processes that will be used for the North Somerset Adult Safeguarding Board (NSSAB), and
2. the different documentation that will be used by the NSSAB.

1.2. Criteria for a Safeguarding Adults Review

- Both [Section 44 of the Care Act 2014](#), and [the Care and support statutory guidance](#), require Safeguarding Adult Boards (SAB) to conduct Safeguarding Adult Reviews (SAR) in certain circumstances. The NSSAB is constituted to perform the function of the Safeguarding Adult Board in North Somerset.
- NSSAB 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.
- NSSAB must also arrange a SAR if an adult in its area has not died, but NSSAB 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 adult must have needs for care and support but does not have to have been in receipt of care and support services for a SAR to be considered.
- The NSSAB 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.

- NSSAB are free to arrange for a SAR in any other situations involving an adult in its area with needs for care and support if the NSSAB determine that it would be effective in identifying and promoting learning for the partnership. This will be called a 'discretionary SAR'.
- 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.
- SARs should seek to understand what actions were taken by the relevant agencies involved in the case and the systems in which they worked together and determine what might have been 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.
- The purpose of the SAR 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
 - Social Work England
 - Care Quality Commission
 - Nursing and Midwifery Council
 - The Health and Care Professions Council
 - The General Medical Council
- It is vital, if individuals and organisations are to be empowered to learn lessons from the past, that reviews are trusted and safe experiences that encourage honesty, transparency and sharing of information.

1.3. Principles of Adult Safeguarding

The 6 key principles of adult safeguarding should apply to SAR activity, namely:

- Empowerment
- Prevention
- Proportionality
- Protection
- Partnership
- Accountability

To apply these principles to the SAR process the NSSAB will expect that:

- There is a culture of continuous learning and improvement across the organisations that work together to safeguard and protect adults. This involves identifying opportunities to draw on what works, promote good practice, and seek to make improvements in order to prevent future harm.
- The approach taken to reviews will be proportionate according to the scale and level of complexity of the issues being examined.
- Reviews of serious cases will be led by individuals who are independent of the case and organisations under review. They will have sufficient experience and training to undertake the role effectively in order to ensure that those agencies can be challenged and held to account.
- Professionals will be involved fully in reviews and invited to contribute their perspectives in the spirit of partnership improvement, without fear of being blamed for actions they took in good faith.
- Adults at risk will be empowered to contribute to SARs about their experience if they so wish. If they have any significant difficulty in being involved, an independent advocate will be commissioned to support them to be as involved as possible throughout the process.
- Families will be invited to contribute to SARs. Families should be supported and discussions in partnership had around how they can be involved. Families should be listened too and their experiences and feelings should be heard and considered appropriately and sensitively.

1.4. Compliance with Human Rights and Equalities Legislation

This can include, but is not limited to:

- [United Nations Convention on the Rights of the Child](#)
- [European Convention on Human Rights](#)
- [Convention on the Rights of Persons with Disabilities](#)
- [Human Rights Act 1998](#)
- [Equality Act 2010](#)

The partnership must comply with the Human Rights Act 1998 when undertaking Safeguarding Adult Reviews. The specific convention rights applying to this work are:

- Article 6: Right to a fair trial

- Article 8: Respect for your private and family life, home and correspondence
- Article 9: Freedom of thought, belief and religion
- Article 10: Freedom of expression
- Article 14: Protection from discrimination in respect of these rights and freedoms

The partnership must comply with the Equality Act 2010 when undertaking Safeguarding Adult Reviews. This includes our public sector equality duty. General duties include:

1. Eliminate discrimination, harassment, victimisation, and other conduct that is prohibited by the Equality Act 2010.
2. Advance equality of opportunity between people who share a protected characteristic and people who do not share it.
3. Foster good relations across all protected characteristics between people who share a protected characteristic and people who do not share it.

All those involved in the SAR process will:

- Ensure they are compliant with the above legislation when carrying out their functions as set out in this document.
- Ensure they consider anti-oppressive and anti-discriminatory practice when they carry out reviews.

2. Referrals

2.1. Making a referral (See Appendix One for Flow Chart)

- Any individual, professional or agency can refer a case to the NSSAB, requesting that consideration be given to convene a SAR. The request is made by submitting a SAR referral webform, available [here](#). The webform is then received by the NSSAB and the webform will send a confirm receipt email to the sender.
- As referrals can and should be made by anyone, there may be instances in which a referral is made by a professional unfamiliar with the purpose and criteria for a SAR. The referral form contains direction on how and when a referral is appropriate, this should be carefully considered when completing the form.

- Staff members in partner agencies are advised to discuss the case with their agency representative who sits on the NSSAB before submitting a referral. If the agency does not have a representative, they can discuss the case with the adult safeguarding lead in their organisation.
- The NSSAB (SABmanager@n-somerset.gov.uk) inbox can also be used as a non-urgent way of seeking support and advice about the process of referring for a SAR, and/or to discuss a situation which you are unsure of.
- On receipt, the NSSAB Board Manager will examine each referral to ensure that the referrer has provided sufficient evidence. Please note that this is not to consider whether the criteria are met, but to ensure that sufficient information to make that decision has been provided. Where this evidence is not present it will be requested from the referrer before progressing to be heard at the SAR Committee (SARC). If it is felt to be an inappropriate referral and the criteria is not met the Board Manager will respond accordingly and it will be a declined referral.
- Once a completed referral is received and accepted the Board Manager/ or Business Support Officer will send out an Agency Involvement form, Stage One (**Appendix 4**) to NSSAB partner agencies who will be expected to complete a brief review of their records held by their respective agencies. This will assist the SARC in decision making. The Board Manager will collect all the agency information into one document, Stage Two (**Appendix 5**) .

2.2. SAR Committee (SARC) referral consideration

- It is the role of the SARC to consider a referral against the criteria for commissioning, as outlined in the Care Act 2014.
- At the meeting, the SARC will decide whether the criteria for a SAR has been met. This will be documented in Stage Two form (**Appendix 5**). There may be times where they may ask for further information to be gathered in an effort to assist them in decision making. If the criteria has been met a statutory SAR will be needed. If the criteria is met the SARC may decide to convene an extraordinary meeting with key NSSAB members to discuss the methodology. If the criteria has not been met a Discretionary SAR or Learning Review/Event may be considered, or no further action may be determined and the referral will be closed.

- Once a decision has been made, the SARC will make a recommendation to the Independent Chair for ratification.
- If the Independent Chair does not agree with the recommendation a rationale will be given in writing and this will be taken back to the committee for discussion and direction.
- Once the Independent Chair has agreed to the recommendation the process should be undertaken and initiated immediately.

2.3. Consideration of other processes

- Where multiple local authorities are involved, a joint SAR may be considered. If the SARC believes this to be appropriate, contact with the other relevant Local Authorities should be made as soon as possible. Methodology and governance should be agreed jointly.
- Where there are possible grounds for a SAR, Domestic Homicide Review (DHR), Child Safeguarding Practice Review (CSPR) or other formal review process then a decision should be made at the outset as to which process is to lead and who is to chair with a final joint report being taken to the necessary commissioning bodies. The NSSAB will consider the [Care Act 2014 guidance](#) under 14.174 where links with other reviews are considered.
- It should be recognised that running dual or multiple agency processes can be overly burdensome or distressing for professionals and family members involved; delay publication; and limit learning. The principle of proportionality should always be considered.

3. Convening a SAR

3.1. Notification of SAR to agencies (Appendix Two Flow Chart 2)

- NSSAB partner agencies should be given as much notice as possible that a SAR has been agreed following ratification from the independent chair. A letter will be sent (**Appendix 6**) and any other relevant information which outlines the SAR processes and what may be expected of them (**Appendix 7**).
- A chronology form will be sent to partner agencies and any other agencies that have been identified, alongside the letter (**Appendix 8**). An expectation of

the timeframe for these to be completed will be communicated and specified when sent out and agreed by the SARC.

3.2. Appointment and expectations of lead reviewer(s)

All SARs must be led by an independent lead reviewer(s).

- When a SAR is agreed, the NSSAB Board Manager will send out expressions of interest to potential reviewers via the SAR, Board Manager and Chair's Networks (**Appendix 11**).

NSSAB will request the following:

- A letter expressing interest
- A CV
- References and links to any published reports

It is expected that those who submit an expression of interest will include relevant experience in the following:

- Strong leadership and ability to motivate others
- expert facilitation skills and experience of sensitive and complex group dynamics
- Collaborative problem-solving experience and knowledge of participative approaches
- Analytic skills and ability to manage qualitative data
- Safeguarding knowledge
- Promote an open, reflective learning culture

3.3. Costs

- All SAR related costs are to be divided equally between the three core partners of the NSSAB. These are: North Somerset Council; Avon & Somerset Constabulary; and ICB.

3.4. Selecting a Lead Reviewer(s) for a SAR

- The expressions of interest for the role of the lead reviewer(s) will be short listed by the board manager.
- The board manager will then arrange a selection meeting with all member of the SARC and the strongest reviewer(s) to be selected.
- An initial meeting with the reviewer(s) will then be made with the board manager and the SARC Chair to support in making the final decision to commission the lead reviewer(s).
- Once the decision has been made the board manager will notify the lead reviewer(s) and will remain their main point of contact throughout the review.
- The board manager will then issue a contract which will specify expectations of work. Once this is agreed and signed information can be shared with the Lead reviewer, such as chronologies.

3.5. Scoping of review

- Once confirmation of the reviewer is appointed, a 'scoping' meeting will be held between the lead reviewer(s), SARC chair and the Board Manager to discuss the agreed arrangements for the review process and to draft an initial Terms of Reference (ToR). (**Appendix 12 for ToR template**).

3.6. Notification of SAR to the surviving adult and/or family and carers

- The NSSAB Board Manager will identify who the best placed person is to make contact with the family and/or the surviving adult to provide an opportunity to engage with the review as they choose. The person reaching out should also seek feedback around preferences of communication with the NSSAB. The NSSAB will then follow up with a formal letter and an introduction to the Independent Author completing the review (**Appendix 9 & 10**)

3.7. Methodologies

- The process for undertaking a SAR should be determined locally according to the specific circumstances. No one model will be applicable for all cases. The principle of proportionality must always be considered to learn lessons as quickly as possible and to ensure the process is an effective use of resources.
- The scoping meeting will make a collective decision on the method to be used for the SAR.

3.8. Agency Reports and member expectations

- Any reports produced by organisations solely for use as part of a SAR methodology are the property of the NSSAB.
- Any request to share Chronologies, Individual Management Report (IMRs) or other information with external parties should be made in writing to NSSAB Board Manager. Requests will be considered, and a response provided. Information pertaining to reviews should not be shared unless agreement from the NSSAB Chair is obtained.

3.9. Agencies and conflict of interest

- If there is any conflict of interest with any agencies or individual identified to join the panel, of who have had significant involvement in the operational decisions, they are required to appoint/ nominate an appropriate person who has sufficient experience in safeguarding adults to replace them.

3.10. Information sharing within the SAR process

- Agencies should be assured that information requested by the NSSAB for the purposes of SAR is proportionate and relevant.
- [Section 45 of the Care Act](#) and section 14.186 of the [Care and Support Statutory Guidance](#) states that information must be provided to Safeguarding Adult Boards to enable or to assist the board to exercise its functions, including the undertaking of a SAR.
- There may be occasions in which information is requested regarding individuals who are not subjects of the review, for example, the perpetrator of a homicide if they were in receipt of care and support services. This information can be shared with the NSSAB in line with Section 45 of The Care Act and Care and Support Statutory guidance.
- In instances of challenge regarding information sharing, advice should be sought from one of the Core Partners Legal Teams.

3.11. Panel Membership expectations

Panel Team members are expected to:

- Share any relevant records pertaining to the subject of the review
- Advise on matters of practice.

- Report back to their line managers on any issues pertaining to their agency that arise during the review.
- Take an active involvement in reviewing of the report.

Appendix 7: Briefing note on member expectations

3.12. Meetings

Following the scoping meeting, the Panel will be invited to the first Panel meeting.

The first meeting of the Panel Team should:

- Confirm the members of the panel, identifying where there may be gaps in representation or submitted information.
- Confirm the terms of reference / research questions for the review.
- Discuss and analyse the submitted information to identify areas for exploration during the review.
- Identify any other relevant agencies or individuals who might have information to inform the review process.

3.13. Practitioner Group

- In certain methodologies, frontline practitioners who had direct involvement with the adult are asked for information. They may meet for practitioner event(s) to explore key episodes or hold a one-to-one conversation with the independent reviewer or members of the review team.
- Once the review has sufficiently progressed to produce findings, the practitioners will be provided with an opportunity to provide feedback and comment on these findings.

3.14. Family engagement

- Where the Adult(s) of a SAR can contribute to the review they should be given the opportunity to do so, an independent advocate should be arranged to support the adult to participate, if required.
- The family/ carers of the adult(s) of the review should be contacted by the NSSAB at the earliest opportunity. This will be done via letter and the SAR information for families' leaflet. Consideration should be given to whether this first contact should be supported by an appropriate professional who may

have already established a working relationship (See appendix seven and eight).

- An agreement should be made regarding who should be the main point of contact for the family / carers or subject(s), and how regularly they will be updated, and a record kept of contacts made.
- Every effort should be made to ensure that the adult and/or their family/carers are fully briefed on the purpose of a SAR, the methodology, and timeframes.
- Every effort should be made to support the Adult, their family/carers to engage with the review process through facilitating conversations and arranging interviews at their convenience. It is entirely the Adult, their family / carers decision whether they wish to do this.
- The Adult, their family/carers will be provided an opportunity to review the final report after it has been approved by the NSSAB at least one week prior to publication. The practical arrangements for sharing the report pre-publication should be considered on a case-by-case basis, considering the needs of the Adult and their family/carers whilst also protecting the partnership. A face-to-face meeting is preferable. If a face-to-face meeting is not possible and the report needs to be sent by post or email, a confidentiality agreement must be signed and returned before releasing the report.
- Should they wish to comment on the report the NSSAB may consider publishing their response alongside the final report.
- It must be recognised that the context in which a SAR is held is likely to have been distressing for those involved, and where appropriate the Adult and their family/carer should be signposted to relevant support services.
- The Adult and their family/carer may wish to engage their own legal representation. In this instance, all communication should be directed in conjunction with the chosen legal provider from one of the core partner agencies.
- When the subject of a SAR is alive and has capacity to make an informed decision, engagement with family members or carers will be determined by the consent given by the adult.

4. Quality Assurance and Approval

Guidance and SAR Quality Assurance Markers can be found at: [Safeguarding Adults Review Quality Markers - SCIE](#)

4.1. SAR Panel quality assurance meeting(s)

- The SAR lead reviewer(s) will share the 1st draft of the SAR report with the SAR panel. The SAR panel will quality assure the report and ensure that any draft recommendations are suitable to be accepted by the NSSAB.
- The draft report will be circulated to the panel members in advance, clearly labelled to indicate that the report is confidential and only for the use of the named NSSAB member. All SAR panel members must attend panel meetings having read the draft document thoroughly and be prepared to challenge the reviewer(s) and discuss the draft recommendations. It should be noted that the SAR is the product of and owned by the NSSAB.
- If the SAR panel members request that further amendments are made to the document, then the amendments should be made in a timely manner. This will be done by the SAR lead reviewer(s) and subsequently approved via an additional panel meeting or if agreed virtually circulated for approval before submission to the SARC.
- All Panel members should come to panel meetings:
 - Prepared to represent their agency views.
 - Having read the review thoroughly, highlighting any factual or typographical errors they may have identified.
 - Having fully considered whether they are prepared to approve the SAR, and what amendments may be needed if they are not.
- It is essential that agencies provide feedback at panel meetings to ensure that all members are made aware of any concerns. No new suggested amendments will be accepted once a decision has been reached at the end of the panel process. Agencies must be assured of their position prior to meetings and ensure that any relevant input via their agencies has already been sought.
- The sign off must be provided by all panel members in an auditable format before the case is presented to the SARC.

- In the unlikely event that a SAR and recommendations are not accepted by the panel, all efforts will be made to bring resolution. Failure to resolve issues will result in the escalation to firstly to the SARC and if resolution can still not be made then an escalation to NSSAB Core Partners to meet and make a decision alongside the independent chair.
- At the conclusion of the panel meeting(s) the SAR panel members will agree to approve the draft report for onward submission to the person's family or advocate (if appropriate to do so). If the family do not agree with the content of the report, the lead reviewer(s) should consider re-drafting the report with consideration for the family's / advocates feedback and a further draft should be presented to the panel for sign off.
- Once panel members are satisfied with the content of the report and family / advocate feedback has been considered (if appropriate), then the final report should be shared with the SARC for sign off. The Board Manager will share the SAR Report with SARC members in advance of the SARC with sufficient time (at least 1 week) to review the report. SARC members are expected to have read the SAR report in advance of the SARC and be prepared to sign off the report. The lead reviewer(s) is responsible for presenting the SAR report and key findings to the SARC for sign off. SARC members are responsible for making the decision about whether they are willing to sign off the report, or whether changes are needed to the report before it is signed off. If changes are required by any SARC member, a decision will need to be made as to whether the report can be signed off in principle, with the expectation that the requested changes are made or whether the report needs to be re-drafted and returned to a future SARC when the changes have been completed.
- Once the SARC have signed off the SAR report, the SAR report should be presented to the NSSAB for final sign off. The Board Manager will ensure that the SAR report is shared with NSSAB Board Members with sufficient notice to read the report (at least 1 week). The lead reviewer(s) is responsible for presenting the report to the NSSAB and outlining the key learning and recommendations. The NSSAB members are responsible for making the decision about whether they are willing to sign off the report, or whether changes are needed to the report before it is signed off. If changes are required by any NSSAB member, the NSSAB independent chair will decide

whether the report can be signed off in principle, with the expectation that appropriate changes are made or whether the report needs to be re-drafted and returned to a future NSSAB when the changes have been completed.

5. Action Plans

- Action plans based on the findings in the SAR should be developed by each individual agency based on the recommendations.
- Action plans will specify how recommendations will be delivered, the individual or agency leading on that action, and a timescale for completion.
- The Board Manager will send out a template action plan and guidance for completion (**see appendix 14**).
- The SARC will hold the overall responsibility for the action plans and the monitoring of the recommendations.
- To ensure this is achieved the SARC will invite partner agencies into the SARC to feedback and provide updates.
- The board manager may also work with partner agencies to collect feedback and present it on their behalf if they are unable to come to the SARC.
- The board manager on behalf of the SARC will report progress of the action plans to NSSAB as required.
- If the SARC feel there is a lack of progress with the recommendations and imbedding the actions they can escalate concerns to the independent chair and where necessary to the NSSAB Core Partners group.

6. Publication and external parties

6.1. Publication

- There is no obligation to publish a Safeguarding Adult Review other than to include the detailed findings in the annual report. However, it is good practice to do so and the NSSAB is committed to publishing its SARs and making them available online via the NSSAB website ([SAR Publication Page](#)).
- A learning brief for the NSSAB workforce will also be considered to be created alongside the report to help embed learning from the SAR.
- Once the NSSAB has formally approved a SAR, a publication planning meeting (**Appendix 13**) will be set up and will involve:

- NSSAB Independent Chair
- NSSAB Representatives of the three core partners; NSC, BNSSG ICB and Avon & Somerset Police
- Press and Communications leads for the three core partners
- Safeguarding Representatives for any agencies involved in the SAR
- Any additional Press and Communication leads for any agencies involved in the SAR

6.2. Disclosure of information with external parties

- The Care Act 2014 Guidance sets out expectations in relation to information sharing between agencies and Safeguarding Partnerships in relation to SARs, including an expectation that information must be shared to enable a Safeguarding Partnership to do its job.
- There may be a request to disclose (as opposed to share) information with external parties such as the Coroner; the Police; legal representation of the Adult and/or their Family/Carer.
- It is established in guidance and case law that in order for there to be openness and candour within the SAR process, it is necessary to protect confidentiality particularly in relation to related agency reports. This must be balanced with general principles of openness and transparency applicable to public process, and compliance with relevant legislation in relation to disclosure of information.
- Disclosure to the Coroner is based on the public interest in a fair hearing as well as the need to the court to have all relevant information before it. This is balanced by the public interest in agencies being able to learn from incidents that have happened. It is recognised that this may require that information is not disclosed in some circumstances.
- Good practice provides that the coroner should be informed that the NSSAB has commissioned a SAR. The NSSAB Board Manager will reach out to the Avon coroner and inform them on each occasion.
- If the Coroner requests disclosure of information, case law dictates what should be disclosed, and legal advice should be sought before a response is made. The Chair will decide in consultation with the core partners to do this.

- Decisions regarding disclosure of information to the family or other interested third parties will vary according to the timing of any requests and the stage reached within the SAR process. Legal advice should always be sought.
- Single agencies will be required to make their own decision regarding information disclosure to third parties who approach them directly external to the SAR process, but this should be done in consultation with the Board Manager or Independent Chair of NSSAB.
- Other than the final report, documentation will not be disclosed to the family or other individuals external to the SAR process prior to the completion of the report, except where ordered to do so as mentioned above. Any request for access to documents will be considered in accordance with the principles of the Freedom of Information Act 2000 and the Data Protection Act 2018. Decisions will be made by the NSSAB Core Partners in relation to requests for disclosure of documents.

7. Annual Report

- NSSAB will include the findings from any SAR in its annual report and what actions it has taken/ intends to take in relation to those findings. Where the partnership decides not to implement an action from the findings it must state the reason for that decision in the annual report.

8. Learning Dissemination

- On publication, the NSSAB will consider producing a learning briefing and disseminate this across the NSSAB network to ensure that key messages and learning reaches and is embedded within workforces across North Somerset.
- Further opportunities to promote the learning from SARs should include targeted learning events, conferences and coverage in the NSSAB newsletter and with the wider chair and board manager networks. With all content on the NSSAB website.
- The NSSAB may question single agencies on the SAR progress and how they are embedding learnings from a SAR. This may include Single Agency Audits and the Adult Self-Assessment Process which will be reported to the NSSAB, on request.