



Lancashire Safeguarding Adults Board

Terms of Reference

For Further information about Safeguarding in Lancashire visit

[Lancashire Safeguarding Adults Board Website](#)

Revised January 2024 (Version 1.1)

Table of Contents

1. Introduction	3
2. Lancashire Safeguarding Adults Board	3
3. Safeguarding Adults Board - roles and responsibilities	5
4. Lancashire Safeguarding Adults Board Membership	6
5. SAB Chair	7
6. Resourcing Lancashire Safeguarding Adults Board	7
7. Policies and Procedures	8
8. Safeguarding Adults Board Strategic Plan and Annual Report	8
9. Safeguarding Adult Reviews	8
10. Accountabilities and Governance	9
11. Status of this Terms of Reference	10
Appendix 1 – Lancashire SAB Structure	11
Appendix 2 – Board Membership	12
Appendix 3 – Role Descriptions – Chair and Lay Member	13
Appendix 4 – Governance and Administrative Arrangements	16
Appendix 5 - Sub-group Terms of Reference – to be added	19
<ul style="list-style-type: none"> • Listening, Learning and Delivering Sub Group (Lancashire) • Performance, Quality and Assurance Sub Group (Lancashire) • Safeguarding Adult Review (SAR) Strategic Sub Group (Pan-Lancashire) 	

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1 Introduction

1.1 Our vision for Adult Safeguarding in Lancashire is that:

"Every adult in Lancashire has the right to lead a safe and fulfilling life, free from abuse and neglect. As a Partnership we will do our very best to work with residents, carers, friends, families and communities to enable this to happen."

1.2 This Terms of Reference ensures the relevant statutory guidance within the Care Act 2014 and the Care and Support Statutory Guidance document pertaining to Safeguarding Adult Boards is implemented within Lancashire. The Act states that all local authorities must set up a Safeguarding Adults Board (SAB) for their local area. The main objective of the SAB is to assure itself that safeguarding arrangements in place locally, and all partner agencies, work together to help and protect adults in its area who meet the safeguarding criteria as stated in the Act.

1.3 The Act introduces a general principle that there should be cooperation between public organisations and all those concerned in the care and support of and the provision of health and health-related needs of their local population.¹ In Lancashire, we have a history of strong and effective partnership working arrangements and this has been demonstrated by the wide-ranging membership of the Safeguarding Adults Board and further reflected in the commitments shown to its supporting sub-groups.

1.3.1 This Terms of Reference will be reviewed as necessary in the light of future legislative developments, case law and published Safeguarding Adults Reviews, the publication of any further national guidance and local experience and learning.

2 Lancashire Safeguarding Adults Board (LSAB)

2.1 LSAB has a strategic role that is greater than the sum of the operational duties of the core partners. It oversees and leads adult safeguarding across the locality and takes an interest in a range of matters that contribute to the prevention of abuse and neglect. The SAB will need intelligence on safeguarding in all providers of health and social care in its locality (not just those with whom its members commission or contract). It is important that Board partners feel able to challenge each other and other organisations where it believes that their actions or inactions are increasing or contributing to the risk of abuse or neglect. This will include commissioners, as well as providers of services.

Lancashire Safeguarding Adults Board has three core duties:

2.1.1 It must publish a strategic plan for each financial year that sets how it will meet its main objective and what the members will do to achieve this. The plan must be developed with local community involvement, and the SAB must consult with the local Healthwatch organisation. The plan should be evidence based and make

¹ The Care Act 2014, S6

use of all available evidence and intelligence from partners to form and develop its plan.

- 2.1.2 It must publish an annual report detailing what the SAB has done during the year to achieve its main objective and implement its strategic plan, and what each member has done to implement the strategy as well as detailing the findings of any Safeguarding Adults Reviews and subsequent action.
- 2.1.3 It must conduct any Safeguarding Adults Review in accordance with Section 44 of the Care Act 2014.
- 2.2 The lead agency with responsibility for coordinating adult safeguarding arrangements is Lancashire County Council, but all the members of the SAB should designate a lead officer. Other agencies should also consider the benefits of having a lead for adult safeguarding. Lancashire County Council may cooperate with any other body it considers appropriate where it is relevant to their care and support functions.
- 2.3 The LSAB receives endorsement from, and is linked to, the Lancashire Accountability Panel.
- 2.4 All members within the LSAB agree to subscribe to the following guiding principles in relation to the safeguarding adults:
 - 2.4.1 **Empowerment** – People being supported and encouraged to make their own decisions and informed consent. *“I am asked what I want as the outcomes from the safeguarding process and these directly inform what happens.”*
 - 2.4.2 **Prevention** – It is better to take action before harm occurs. *“I receive clear and simple information about what abuse is, how to recognise the signs and what I can do to seek help.”*
 - 2.4.3 **Proportionality** – The least intrusive response appropriate to the risk presented. *“I am sure that the professionals will work in my interest, as I see them, and they will only get involved as much as needed.”*
 - 2.4.4 **Protection** – Support and representation for those in greatest need. *“I get help and support to report abuse and neglect. I get help so that I am able to take part in the safeguarding process to the extent to which I want.”*
 - 2.4.5 **Partnership** – Local solutions through services working with their communities. Communities have a part to play in preventing, detecting, and reporting neglect and abuse. *“I know that staff treat any personal and sensitive information in confidence, only sharing what is helpful and necessary. I am confident that professionals will work together and with me to get the best result for me.”*

2.4.6 **Accountability** – Accountability and transparency in delivering safeguarding. “*I understand the role of everyone involved in my life and so do they.*”

2.5 The Structure of the Safeguarding Adults Board is included within Appendix 1.

3 Safeguarding Adults Board – roles and responsibilities

3.1 The Care Act 2014 stipulates that Safeguarding Adults Board should:

- identify the role, responsibility, authority and accountability with regard to the action each agency and professional group should take to ensure the protection of adults.
- establish ways of analysing and interrogating data on safeguarding notifications that increase the Board's understanding of prevalence of abuse and neglect locally that builds up a picture over time.
- establish how it will hold partners to account and gain assurance of the effectiveness of its arrangements.
- determine its arrangements for peer review and self-audit.
- establish mechanisms for developing policies and strategies for protecting adults which should be formulated, not only in collaboration and consultation with all relevant agencies but also take account of the views of adults who have needs for care and support, their families, advocates and carer representatives.
- develop preventative strategies that aim to reduce instances of abuse and neglect in its area.
- identify types of circumstances giving grounds for concern and when they should be considered as a referral to the local authority as an enquiry.
- formulate guidance about the arrangements for managing adult safeguarding, and dealing with complaints, grievances, and professional and administrative malpractice in relation to safeguarding adults.
- develop strategies to deal with the impact of issues of race, ethnicity, religion, gender and gender orientation, sexual orientation, age, disadvantage and disability on abuse and neglect.
- balance the requirements of confidentiality with the consideration that, to protect adults, it may be necessary to share information on a 'need-to-know basis'.
- identify mechanisms for monitoring and reviewing the implementation and impact of policy and training.
- carry out safeguarding adult reviews and determine any publication arrangements.
- produce a Strategic Plan and an Annual Report.
- evidence how Board members have challenged one another and held other boards to account.
- promote multi-agency training and consider any specialist training that may be required; and
- Consider any scope to jointly commission some training with other partnerships, such as Lancashire Community Safety Partnership Board.

- 3.2 Strategies for the prevention of abuse and neglect are core responsibilities for the Board. It should have an overview of how this is taking place in the area and how this work ties in with the stated approaches and practices of the Health and Wellbeing Board, the Community Safety Partnership Board, and other relevant Boards. This could be about commissioners and the regulator, together with providers, acting to address poor quality care and the intelligence that indicates there is risk that care may be deteriorating and becoming abusive or neglectful. It could also be about addressing hate crime or anti-social behaviour in a particular neighbourhood. The Board will need to have effective links and communication across several networks in order to make this work effectively.
- 3.3 Within the context of the duties set out at paragraph 3.1, safeguarding boards can be a positive means of addressing issues of self-neglect. The Board is a multiagency group that is the appropriate forum where strategic discussions can take place on dealing with what are often complex and challenging situations for practitioners and managers as well as communities more broadly.

4 Lancashire Safeguarding Adults Board Membership

- 4.1 In law, the statutory members of a Safeguarding Adults Board are defined as the local authority, the local police force and the relevant Integrated Care Board. In Lancashire we recognise the importance of the contribution made by all of our partner agencies and this is reflected by the wider Board membership (Appendix 2).
- 4.2 The Board may wish to invite additional partners to some meetings depending on the specific focus or to participate in its work more generally.
- 4.3 Board members should assure themselves that the Board has the involvement of all partners necessary to effectively carry out its duties. Additionally, there are effective links with related partnerships to maximise impact and minimise duplication and which would reflect the reality and interconnectivities of local partnerships. There are strong synergies between the work of many of these bodies, particularly when looking at a broader family agenda as well as opportunities for efficiencies in taking forward work.
- 4.4 Partnerships include:
- Lancashire Community Safety Partnership (CSP)
 - Lancashire Children Safeguarding Assurance Partnership (CSAP)
 - Lancashire Health and Wellbeing Board
 - Lancashire and South Cumbria Integrated Care Board; (ICB) and
 - Overview and Scrutiny Committees (OSCs)
- 4.5 Members who attend in a professional and managerial capacity should:
- Be able to present issues clearly in writing and in person.
 - Be experienced in the work of their organisation.

- Be knowledgeable about the local area and population.
- Be able to explain their organisation's priorities.
- Be able to promote the aims of the SAB.
- Be able to commit their organisation to agreed actions.
- Have a thorough understanding of abuse and neglect and its impact; and
- Understand the pressures facing front line practitioners.

5 SAB Chair

- 5.1 It is important that the LSAB Chair is independent from the three statutory partners. The Chair has a critical role to lead collaboratively, give advice, support and encouragement but also to offer constructive challenge and hold main partner agencies to account and ensure that interfaces with other strategic functions are effective whilst also acting as a spokesperson for the SAB.
- 5.2 The Chair is accountable to the Chief Executive of Lancashire County Council as the lead body responsible for establishing the SAB but should be appointed by Lancashire County Council in the name of the SAB having consulted all its statutory partners. There is a clear expectation that Chairs will keep up to date with, and promote, good practice, developments in case law and research and any other relevant material.
- 5.3 The Role Description of the Independent Chair is included within Appendix 3.

6 Resourcing Lancashire Safeguarding Adults Board

- 6.1 Members of the Board are expected to consider what assistance they can provide in supporting the Board in its work. This might be through payment to the local authority or to a joint fund established by Lancashire County Council. Members might also support the work of the Board by providing administrative help, premises for meetings or holding training sessions. It is in all core partners' interests to have an effective Board that is resourced adequately to carry out its functions.
- 6.2 The LSAB can decide how they operate but they must ensure that their arrangements will be able to deliver the duties and functions under Schedule 2 of the Care Act.

7 Policies and Procedures

- 7.1 The Board has developed clear Multi-Agency Policy and Procedures that have been agreed with other interested parties, and that reflect the local service arrangements, roles and responsibilities. It will promote multi-agency training that ensures a common understanding of abuse and neglect, appropriate responses and agree how to work together. Policies will state what organisations and individuals are expected to do where they suspect abuse or neglect. The Board should also consider any specialist training that is required. A key part of the Board's

role is to develop preventative strategies aiming to reduce instances of abuse and neglect in its area. Multi agency Policy and procedures, and multi agency training will be covered by the Listening, Learning and Delivery sub group. Members of the Board should also be clear about how they will contribute the financial and human resources of their organisation in both preventing and responding to abuse and neglect.

8 Safeguarding Adults Board Strategic Plan and Annual Report

- 8.1 The Board must publish its strategic plan each financial year. The strategic plan should address both short and longer-term actions and it must set out how it will help adults in its area and what actions each member of the Board will take to deliver the strategic plan. In Lancashire our plan covers a 3-year period to enable the Board to plan ahead as long as it is reviewed and updated annually.
- 8.2 After the end of each financial year, the Board must publish an annual report that must clearly state what both the Board and its members have done to carry out and deliver the objectives and other content of its strategic plan. The reports should have prominence on each core member's website and be made available to other agencies. Specifically, the annual report must provide information about any Safeguarding Adults Reviews (SARs) that the Board has arranged which are ongoing or have reported in the year (regardless of whether they commenced in that year). The annual report must set out how the SAB is monitoring progress against its policies and intentions to deliver its strategic plan.

9 Safeguarding Adults Reviews

- 9.1 Section 44 of the Care Act identifies those circumstances under which a SAB must make the necessary arrangements for a SAR to be undertaken. The SAB should be responsible for agreeing Terms of Reference for any SAR that is undertaken in its area.
- 9.2 The SAB should also publish the findings of any SAR carried out within its Annual Report and should include what action will be taken in relation to those findings. If the SAB decides not to implement any recommended action from the findings of a SAR, then it must also publish in its Annual Report the reason behind its decision.
- 9.3 The SAB and its partner organisations must work together to ensure that the SAR process is used to facilitate a culture of learning and improvement so that the wellbeing and empowerment of adults is further protected. The SAR process should follow the principles of Safeguarding as identified within the Care and Support Statutory Guidance and should seek to identify lessons to be learned, which can be applied to future cases to prevent further harm.

10. Accountabilities, Governance, Commencement and Termination

- 10.1 Whilst s43 Care Act 2014 required each local authority to establish a SAB it does not state that the partnership must have a separate legal entity from those of its members. The SAB is an unincorporated association of partners established to fulfil the statutory functions set out in s43 and schedule 2 Care Act 2014. As it has no 'legal identity' it can't:
- start a legal action
 - borrow money
 - enter into contracts in its own name
 - hold property
- 10.2 The SAB will, in line with Local Government Ombudsman's guidance, respond to complaints in accordance with the [Local Authority Social Services and National Health Services Complaint \(England\) Regulations 2009](#). Where the complaint relates to a service or function provided by a partner agency in line with their statutory obligations (e.g. how a s42 enquiry was conducted) then it would be for the agency to address this through their own complaints process.
- 10.3 Under the Data Protection Act 2018 at Section 6 it adopts the definition in Article 4(7) of the GDPR as the definition of data controller. In Article 4(7) data controller is defined as the '*natural or legal person, public authority, agency or other body which alone or jointly with others determines the purposes and means of processing the personal data, where the purposes and means of such processing are determined by member states*'. 'Person' is not defined in the Data Protection Act 2018 (DPA). Public authority is so defined and a SAB is not a public authority for the purposes of Freedom of information (FOI) so is not a public authority for the purposes of the Data Protection Act. Under s43 of the Care Act each local authority is required to establish a SAB, the SAB seeks assurance from all members. It is therefore, those members who process the data. The SAB only collates this data and analyses it from a multi-agency perspective to secure assurance. Even the processes of conducting multiagency audits or collating information to enable a Safeguarding Adult Review report requires only consideration of data already held and processed by members.
- 10.4 Appendix 4 provides an overview of governance and administrative arrangements and sets out the general arrangements for the conduct of business in meetings and administrative/secretariat support.
- 10.5 Where the Board is unable after two meetings to fully resolve a matter it shall be escalated to the Safeguarding Accountability Panel for consideration and decision.
- 10.6 The partnership actively values the benefits of diversity and ensures fair treatment and equality of opportunity. Information on safeguarding will include appropriate information, subject to availability, on gender, disability, and ethnicity.
- 10.7 The commencement date for this Terms of Reference is **July 2023**. Each partner agency will progress the Terms of Reference through its own governance

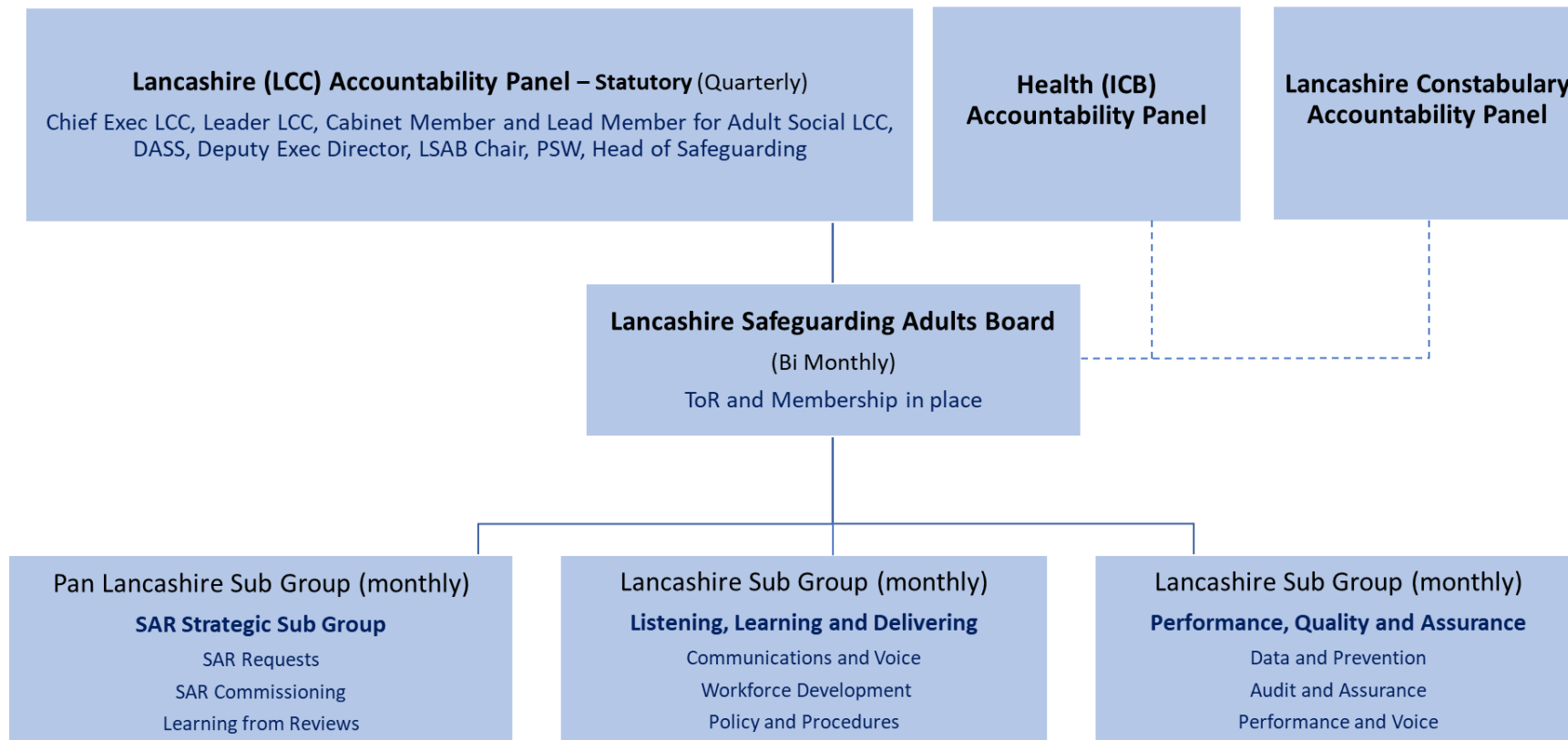
arrangements. The Terms of Reference will be reviewed at annual intervals, or as agreed.

- 10.8 This Terms of Reference may only be terminated by the Safeguarding Adult Board subject to the Executive Director of Adult Social Care and Health, Lancashire County Council endorsing the termination and approval being received from two thirds of all the full and associate members. The Board will review membership and co-options each year. Any proposed changes to partner agency membership may only be made in consultation with the Executive Director of Adult Social Care and Health, Lancashire County Council.
- 10.9 Amendments to this Terms of Reference may be proposed by the Board at any time subject to the Executive Director of Adult Social Care and Health, Lancashire County Council endorsing the proposed amendment and approval being received from two thirds of all the full and associate members.

11 Status of this Terms of Reference

- 11.1 This Terms of Reference is not intended to be legally binding, and no legal obligations or legal rights shall arise between the parties from this Terms of Reference. The parties enter into the Terms of Reference intending to honour their obligations.
- 11.2 Nothing in this Terms of Reference is intended to, or shall be deemed to, establish any partnership or joint venture between the parties, constitute either party as the agent of the other party, nor authorise either of the parties to make or enter into any commitments for or on behalf of the other parties.

Lancashire Safeguarding Adult Board Structure



Appendix 2 - Board Membership

Organisation	Role
Independent Chair	Stephen Chapman
Council Member	County Councillor lead for Health, Lancashire County Council
Local Authority	Deputy Executive Director, Adult Services, Lancashire County Council
Public Health	Consultant in Public Health, Lancashire County Council
Police	Detective Superintendent, Public Protection Unit, Lancashire Constabulary
Health (ICB)	Director of Safeguarding, NHS Lancashire & South Cumbria Integrated Care Board
Health (LSCFT)	Head of Safeguarding, Lancashire & South Cumbria Foundation Trust
Health (NWS)	Head of Safeguarding
Health (Acute and Community Providers)	Assistant Director Safeguarding
Healthwatch	Chief Executive, Healthwatch
Business Unit	Senior Business Manager
Housing Provider	Executive Director Operations & Support, Progress Housing Group
Lancashire Fire and Rescue Service (LFRS)	Service Prevention Manager, Lancashire Fire & Rescue
Voluntary, Community, Faith & Social Enterprise (VCFSE)	Lancashire Women's Service
CEO District Rep	Chief Executive, Rossendale Borough Council
Prison Service	HMP Lancashire Group Safety Lead
Probation	Head of the Probation Delivery Unit
Substance Recovery Provider	Safeguarding Lead, Inspire
Care Sector	Director of Operations
Department for Work and Pensions	Advanced Customer Support Senior Leader

Appendix 3

Role Descriptions

Role descriptions have been prepared for the following:

- Chair

Chair

Main Purpose:

- To chair the Lancashire Safeguarding Adults Board;
- To provide independent leadership and strategic vision to the Board;
- To ensure the Safeguarding Adults Board has an independent objective and authoritative identity

Key Responsibilities of the Post:

In conjunction with the relevant officers, ensure that the Safeguarding Adults Board is meeting its responsibilities and objectives as set out in the Care Act 2014. To Chair and provide leadership to the board to:

1. Ensure that the Board maintains compliance with the Care Act 2014. This includes the three core duties of the SAB: publication of a strategic plan, publication of an annual report and conducting any Safeguarding Adults Reviews in accordance with Section 44 of the Act.
2. Provide strategic direction to support the Lancashire Safeguarding Adults Board in fulfilling its objectives of co-ordinating and monitoring the effectiveness of interagency work to safeguard and promote the independence and wellbeing of adults.
3. Ensure a collaborative approach to the Safeguarding Adults Board and ensure that partner agencies co-operate and effectively safeguard adults. This includes challenging partners where necessary and appropriate.
4. Support and guide the Safeguarding Adults Review (SAR) process on behalf of the Board. This includes accepting or challenging the Safeguarding Adult Review decision regarding the commissioning of an SAR.
5. Ensure that the Safeguarding Adults Board interfaces with and works in partnership with the other strategic boards namely Health and Wellbeing Board, Children's Safeguarding

Assurance Partnership, Community Safety Partnership Board and Domestic Abuse partnership.

6. Ensure that six key principles of Safeguarding identified within the Care Act statutory guidance underpin all adult safeguarding work.
7. Ensure that Mechanisms are in place to lead, monitor, review and evaluate all Safeguarding Adults practices within Lancashire.
8. Be proactive in understanding of national, regional and local best practice with respect to Safeguarding Adults
9. Oversee the delegation of work to the relevant board sub-groups and ensure systems are in place to report back to the Safeguarding Adults Board.
10. Facilitate the smooth running of the Safeguarding Adults Board by ensuring the development and implementation of an Annual Business Plan, Board Workplan and the appropriate preparation of Board agenda's and papers with designated officers.
11. Formulate responses to media enquiries with the Strategic Director of Children, Adults and Families, Lancashire County Council's Communications Team and jointly with partner agencies as required.
12. These are the key tasks as currently defined. From time to time the key tasks may be varied and the post holder will be expected to take on variations within the constraints of the role;

Appendix 4

Governance and Administrative Arrangements

Chair and Vice-Chair

The Safeguarding Adults Board will appoint a Chair in accordance with the Care Act 2014 guidance noted in section 7.1. There will be scheduled meetings between the Chair and the Lancashire County Council Strategic Director, Integrated Adults and Social Care Services to ensure effective and transparent reporting and accountability arrangements. The overall purpose of meetings between the Chair and the Strategic Director will be to review progress, consider any strategic or other issues and to discuss the development and delivery of effective borough wide safeguarding of adults.

In the absence of the Chair the Vice-Chair will be a representative from the Board, agreed by the Board.

Safeguarding Accountability Panel (Local Authority)

The Safeguarding Accountability Panel provides overall governance for the SAB. The SPA includes Chief Exec LCC, Leader LCC, Cabinet Member and Lead Member for Adult Social LCC, DASS, Deputy Exec Director, LSAB Chair, PSW and Head of Safeguarding.

Remaining statutory partners, Health and Police have given assurance of own structures to ensure that accountability of safeguarding is in compliance with the Care Act.

Attendance

It is expected that if nominated board members cannot attend, nominated deputies may attend in place of the Board Member, but may not do so for more than two consecutive meetings without review of the member nominated by the partner agency.

Lack of attendance at Board meetings is seen as damaging to the strategic development of inter-agency arrangements for safeguarding adults. Where neither the nominated nor deputising member attends for two or more meetings, this fact will be drawn to the attention of the executive body of the relevant agency by the Chair of the Board.

Quorum

To be quorate, the Board must have no less than 3 statutory members (this can include a nominated deputy).

Board Decision Making & Voting

Prior to discussion of a matter Board members should have:

- read the written report,
- identified key lines of discussion/enquiry to be taken up at the meeting,
- identified potential areas of good practice and shared learning, and
- established the relevant position within their own agency as necessary.

The Chair will manage the consideration of reports and highlight any further action, outputs or outcomes required by the Board and ensure recognition is given for real progress made.

The Chair will, wherever possible, seek consensus on business matters under consideration at or outside of board meetings.

In the event of a vote, all members, or their nominated deputy if attending in place of the nominated member, will be entitled to vote. In cases where there is an equal number of votes, the Chair will have a second or casting vote.

Frequency of Board Meetings

The Board will meet on a bi monthly basis with additional meetings arranged as necessary to set and maintain strategic direction and meet delivery requirements.

Declaration of Interests

Board members are required to declare any interest or potential conflict of interest that arises or may be perceived to arise while conducting Board business. They should declare this at the start of Board meetings. Board members who have declared an interest will be able to participate in the meeting at the discretion of the Chair.

The arrangements for the conduct of Safeguarding Adult Reviews (SAR) place particular emphasis on the declaration of interests.

Escalation and Challenge Protocol

The escalation and professional disagreement protocol [here](#) ensures a prompt, sensitive and professional response to the management of escalating issues and constructively challenging agencies regarding their practice in respect of safeguarding adults in Lancashire.

Information Sharing

The SAB has in place an Information Sharing Protocol provides a clear framework for the effective sharing of information both at a strategic and operational level within the arenas of Safeguarding Children and Adult Safeguarding.

Reports

Reports must be submitted to the Safeguarding Adults Board Business Manager, Joint Patnership Business Unit , not later than **ten** working days before the date of the meeting. This is to enable papers to be distributed in time.

To ensure proper consideration and discussion of content, tabled reports will not normally be accepted at Board meetings. In exceptional circumstances, tabled reports may be presented at the discretion of the Chair (e.g. updates on information in reports like latest statistics or amplification of content already submitted but not raising new issues of principle). Anyone wishing to defer a report to a later agenda must obtain the agreement of the Chair prior to the circulation of the agenda for the meeting.

Agendas and Minutes of Meetings

There is an expectation that the Business Unit will draft the agenda 2 weeks prior to the meeting and send it to the Chair. The Chair and the Business Unit will agree the agenda & papers 7 days prior to the meeting.

The Safeguarding Adults Board Business Unit will ensure the circulation of agendas for meetings and supporting papers. This will be done **five** working days before each scheduled meeting and agreed with the Chair as necessary.

Co-ordination and Support

The Lancashire Business Unit will provide co-ordination of the Board and support.

Appendix 5 – Sub group Terms of Reference

- Listening Listening, Learning and Delivering Sub Group (Lancashire)
[lsab-sub-group-11dfinal-tor.pdf \(lancshiresafeguarding.org.uk\)](https://lancshiresafeguarding.org.uk/lsab-sub-group-11dfinal-tor.pdf)
- Performance, Quality and Assurance Sub Group (Lancashire)
[tor-pqa-lancs-sub-groupfinal10.pdf \(lancshiresafeguarding.org.uk\)](https://lancshiresafeguarding.org.uk/tor-pqa-lancs-sub-groupfinal10.pdf)
- Safeguarding Adult Review (SAR) Strategic Sub Group (Pan-Lancashire)
[tor-sar-strategicfinal10.pdf \(lancshiresafeguarding.org.uk\)](https://lancshiresafeguarding.org.uk/tor-sar-strategicfinal10.pdf)