

Governance Handbook



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Approvals

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Introduction

The aim of this Handbook is to provide a comprehensive overview of the policies and procedures which ensure the good governance of Healthwatch Stockton-on-Tees and procedures also ensure we maintain the highest possible standards in meeting the legal responsibilities of Healthwatch Stockton-on-Tees and ensuring Healthwatch Stockton-on-Tees provides a consistently high level of support to those in our communities who use health and care services - now and in the future.

This handbook is an important reference tool which will be reviewed annually and updated when necessary. It is a living, working document so if you think that there is anything that needs adding or something you don't understand, please contact the Healthwatch Stockton-on-Tees team.

Healthwatch Policies and Procedures



Valley and Sunderland.

Pioneering Care Partnership was successful in gaining Healthwatch contracts in Stockton-on-Tees, Sunderland and Durham. Pioneering Care Partnership is a leading health improvement charity whose mission is '**Health, Wellbeing and Learning for all**'. Pioneering Care Partnership are responsible for running the Pioneering Care Centre in Newton Aycliffe and a number of projects and services with a focus on health and wellbeing in local communities across County Durham, Tees

You can find out more about Pioneering Care Partnership by going to their website at: <http://www.pcp.uk.net/>

Paid staff

Healthwatch Stockton-on-Tees staff are all employed by Pioneering Care Partnership and subject to Pioneering Care Partnership policies and procedures. Staff supervision, accountability, development and performance management are handled through Pioneering Care Partnership's line management arrangements.

Board members

Healthwatch Stockton-on-Tees Board members are governed by the policies and procedures laid out in this Handbook, some of which are Healthwatch Stockton-on-Tees specific, others are part of Pioneering Care Partnership's governance arrangements.

Healthwatch Stockton-on-Tees Volunteers

Expectations and policies and procedures relating to volunteers, including Board members, are referred to in this Handbook and detailed in our **Healthwatch Volunteer Handbook** which you can find at <http://www.healthwatchstocktonontees.co.uk/volunteering>.

What is Healthwatch?

The Government's Health and Social Care Act (2012) established Healthwatch as the new '**independent consumer champion**' for adults and children who use health and social care services. Its aim in establishing Healthwatch is to '**achieve the best health and care services that are shaped by local needs and experiences.**'

Healthwatch contributes to this objective by:

- Strengthening the collective voice of citizens and communities in influencing local health and social care services to better meet their needs.
- Supporting people to better access the services they need when they need them.

Healthwatch has two distinct parts; **Healthwatch England** and **local Healthwatches** such as Healthwatch Stockton-on-Tees. Healthwatch England is a statutory committee of the Care

Quality Commission who regulates and inspects health and social care services. This means Healthwatch Stockton-on-Tees can raise issues of concern directly with them if they have serious concerns. Healthwatch England provides advice, guidance and support to Healthwatch Stockton-on-Tees and receives an annual report from Healthwatch Stockton-on-Tees. Healthwatch Stockton-on-Tees is however, accountable to the local Council, who provide the funding for Healthwatch Stockton-on-Tees from a central Government pot. This means Healthwatch Stockton-on-Tees have to provide the Council with updates and progress reports on a regular basis.

What services does Healthwatch Stockton-on-Tees cover?

- All hospital based health services for adults and children.
- All community-based health services for adults and children including GPs, dentists, pharmacists, podiatrists, health visitors, district nurses, physiotherapists, occupational therapists, speech and language therapists and community psychiatric services.
- Residential and nursing home services for adults.
- Other social work and/or care services including home helps, home carers, support workers and social workers or care managers.
- Services that combine health and social care including sexual health centres, wellbeing centres and day centres for older people.
- Services and support for children and young people apart from those who are in receipt of social care support from the local Council.

What powers does Healthwatch Stockton-on-Tees have?

Healthwatch Stockton-on-Tees is unique in being the only **non-statutory body with statutory powers and duties**:

- The power to ‘**Enter and View**’ premises where health or social care services are provided (this power does not extend to premises that provide social care to children but Healthwatch Stockton-on-Tees is expected to gather views and experiences from children and young people in collaboration with local partners).
- Service providers and commissioners have a **duty to respond** to Healthwatch Stockton-on-Tees reports and recommendations within 20 working days – this also applies to providers of children’s social care services. Healthwatch Stockton-on-Tees has a **statutory entitlement to a seat on the local Health and Wellbeing Board**.
- Healthwatch Stockton-on-Tees has a **duty to provide information about health and social care services**.
- Healthwatch Stockton-on-Tees can **escalate issues** direct to Healthwatch England and through them, the Care Quality Commission.
- Healthwatch Stockton-on-Tees can also refer issues of concern direct to the Health Scrutiny Committee.

The 'responsible persons' have a duty to respond to Healthwatch Stockton-on-Tees reports and recommendations within 20 working days. This includes providers of children's social care services.

* This power does not extend to premises that provide social care to children however, Healthwatch Stockton-on-Tees is expected to gather the views and experiences from children and young people in collaboration with local partners.

Healthwatch Stockton-on-Tees core functions

'Voice'	Ensuring local people's voices are heard and their experiences can influence the design, commissioning and delivery of local health and social care services
Scrutiny and Accountability	Holding those who plan and commission local services to account through our involvement in the Health and Wellbeing Board, our reports and recommendations, our power to enter and view services and our ability to refer issues of major concern direct to Healthwatch England or the local Health Scrutiny committee.
Information and Signposting	Providing an Information and Signposting service to provide information about local health and social care services to help people make informed choices about what's best for them
Complaints	Providing information and signposting to people wishing to complain about health and care services
But...	Healthwatch Stockton-on-Tees does not investigate individual complaints or act on behalf of individuals with complaints services

The model for Healthwatch Stockton-on-Tees

In line with the current Government's emphasis on localism, the Health and Social Care Act does not define a particular model for how Healthwatch Stockton-on-Tees should be provided, preferring to leave this to local decision makers in consultation with their communities. However, the Act does state that Healthwatch Stockton-on-Tees should be **independent** of central and local government, with its own legal powers, and set its own work programme to reflect the concerns of the local community.

Pioneering Care Partnership's model is defined by a number of key characteristics:

A **'network of networks'** which recognises Healthwatch Stockton-on-Tees can only be truly effective if we can reach as many citizens as possible through established networks, groups and organisations, the use of local expertise and volunteers who can act as the eyes and ears of Healthwatch Stockton-on-Tees at grass-roots level.

An inclusive Healthwatch Stockton-on-Tees organisation open to individuals, groups and organisations living and/or working locally and one which champions the voices of those who are seldom-heard.

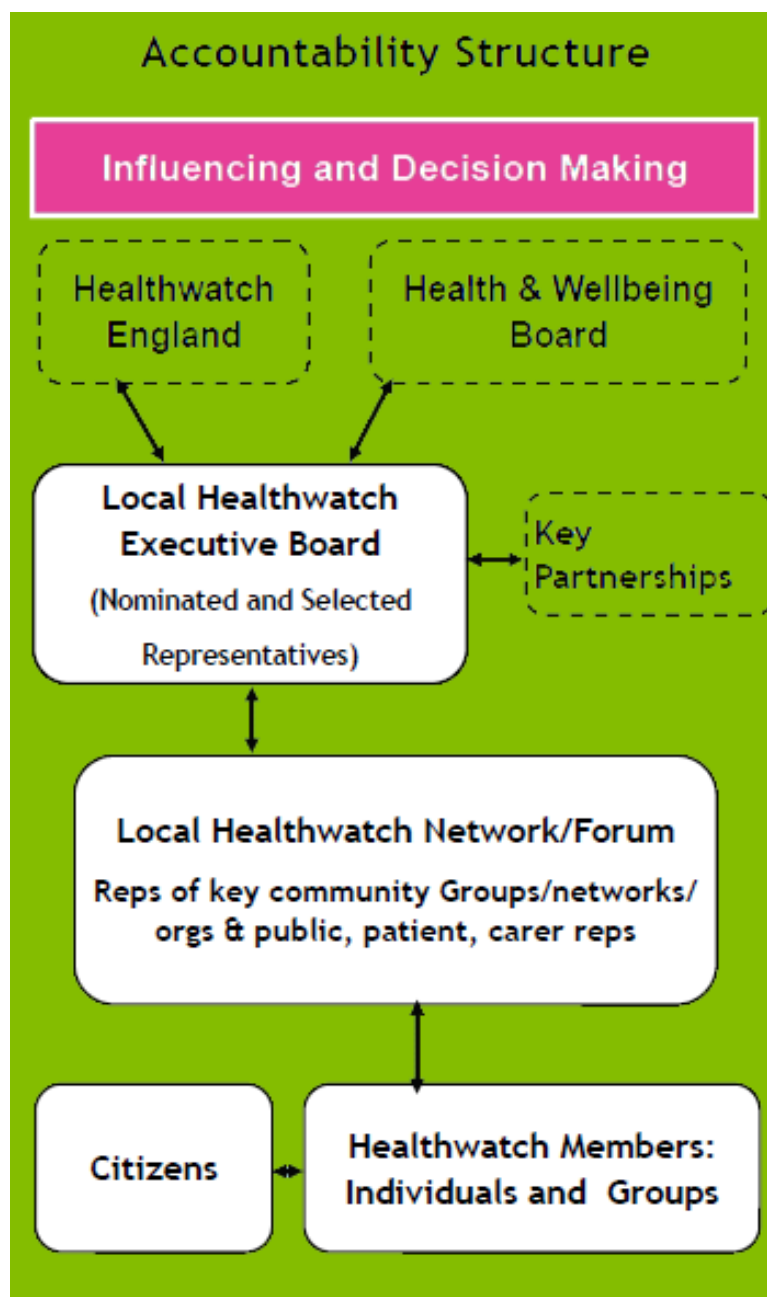
The governance and accountability structure for Healthwatch Stockton-on-Tees

The accountability structure for Healthwatch Stockton-on-Tees can be seen at figure 1

- Healthwatch Stockton-on-Tees is a **membership organisation** and is open to individuals, groups and organisations who live and /or work within the local authority boundary. Any voluntary, community or not for profit organisation or group who can demonstrate charitable or social objectives can join Healthwatch Stockton-on-Tees. It is not necessary to have charitable status or be a constituted group to be a member of Healthwatch Stockton-on-Tees.
- In order to maintain the independence of Healthwatch Stockton-on-Tees and avoid conflicts of interest, particularly in terms of its scrutiny and accountability role, Healthwatch Stockton-on-Tees membership is **not** open to:
 - Providers of statutory health or social care services and their employees, where these services are accessed by local residents.
 - Employees of organisations with a statutory role to commission health or social care services.
 - Councillors or Members of Parliament.
- The membership of Healthwatch Stockton-on-Tees come together as a local **Healthwatch Network or Forum** where individuals, organisations and groups explore issues and concerns about local services and inform Healthwatch Stockton-on-Tees' annual work programme and priorities. The Healthwatch Stockton-on-Tees forum will be held twice per year.
- A **Healthwatch Stockton-on-Tees Board** is appointed through an open and transparent selection process which includes a detailed role descriptor and core competences.
- Potential Board members must be members of their Healthwatch Stockton-on-Tees and must be nominated by a current member or members of Healthwatch Stockton-on-Tees.
- The role of the Board is to ensure Healthwatch Stockton-on-Tees achieves its aims and objectives and is effective, inclusive, and accountable to local people and contributes to improving local NHS and social care services. The main role of the Board is to:

- Provide strategic direction to Healthwatch Stockton-on-Tees.
- Represent Healthwatch Stockton-on-Tees and the interests of its members on key strategic partnerships.
- Promote good governance.
- Oversee the performance of Healthwatch Stockton-on-Tees and delivery of the annual work programme.
- Ensure two-way communication between the Board and the membership.
- Escalate issues, where appropriate, to Healthwatch England or the regional Health Scrutiny committee.

Figure 1:



Healthwatch statutory regulations

There are two key pieces of legislation which set out what Healthwatch Stockton-on-Tees and Healthwatch England are required to do to fulfil their statutory obligations. There are the **Health and Social Care Act (2012)**¹ and the **Local Government and Public Involvement in Health Act (2007)**.

The **Health and Social Care Act** established Healthwatch as the new consumer champion for health and social care services for adults and children with the aim of achieving **‘the best health and care services that are shaped by local needs and experiences’**. The Act intended to strengthen the collective voice of patients, users of care services and the public through the establishment **Healthwatch** and two new Healthwatch bodies:

- **Healthwatch England** - a statutory committee of the Care Quality Commission
- **Local Healthwatch organisations** - to be commissioned by each Local Authority in England

The Local Government and Public Involvement in Health Act 2007 spells out the key activities each local Healthwatch is expected to undertake. These are often referred to as **‘s221’** activities meaning section 221 of the Local Government and Public Involvement in Health Act:

- Promoting, and supporting, the involvement of people in the commissioning, provision and scrutiny of local care services;
- Enabling people to monitor and review care services;
- Obtaining the views of people about their needs for, and their experiences of, local care services;
- Making these views known through reports and recommendations about how local care services could or ought to be improved to those responsible for commissioning, providing, managing or scrutinising local care services.

Healthwatch Stockton-on-Tees Executive Board recruitment

Healthwatch Stockton-on-Tees aims to recruit a diverse Executive Board to provide a credible, expert voice which can offer strategic direction, oversight and governance to Healthwatch Stockton-on-Tees as well as representing the interests of the membership on key strategic partnerships and ensuring effective two-way communication between the Board and the Healthwatch Network.

The intention is that the Board is small, agile and strategic in focus and all Board members sign up to the Healthwatch Code of Conduct for Board members which include the Nolan Principles of Public Life.

Potential Board members must be Healthwatch Stockton-on-Tees members and nominated by at least one member organisation or group. Healthwatch Stockton-on-Tees have put in place a

¹ <http://www.legislation.gov.uk/ukxi/2012/3094/part/6/made>

transparent recruitment and selection process based on a detailed role description, key competences and clear role expectations.

Applications are assessed and a shortlist drawn up, followed by an interview with an appointment panel which will usually include the Chair of Healthwatch Stockton-on-Tees, the Healthwatch Stockton-on-Tees Project Lead and a representative from the commissioning local authority. Local partners may also be invited to join the Appointment Panel. A scoring system is used to ensure that the selection process is fair and feedback is available to unsuccessful candidates from the chair of the Appointment panel. Board membership is also subject to a six-month probation period.

Role description for Healthwatch Stockton-on-Tees Chair

The role of the Chair is to ensure Healthwatch Stockton-on-Tees is established as a credible, respected and influential voice, representing the interests of the people of Stockton-on-Tees in the way health and social care services and support are provided now and in the future. The Chair will lead the Board in setting the strategic direction of Healthwatch Stockton-on-Tees.

The Chair will:

1. Provide strategic direction and leadership to Healthwatch Stockton-on-Tees

- Lead the Board in establishing Healthwatch Stockton-on-Tees and operating to its agreed values, principles and strategic priorities.
- Provide Healthwatch Stockton-on-Tees with the leadership, direction and support needed to enable it to achieve its objectives.
- Support the recruitment of appropriately skilled and experienced Board members to ensure Healthwatch Stockton-on-Tees is representative and effective.
- Ensure Board members have the skills, experience and competence to operate at strategic level and represent Healthwatch Stockton-on-Tees on key strategic boards in the Borough.
- Ensure clear lines of accountability, representation and feedback within Healthwatch Stockton-on-Tees and in relationships with external partners and stakeholders.
- Lead the Board in identifying and agreeing key priorities and issues to inform the work of Healthwatch Stockton-on-Tees as well as agree on a work plan.

2. Represent Healthwatch Stockton-on-Tees

- Uphold the reputation of Healthwatch Stockton-on-Tees and demonstrate its values and principles at all times.
- Build and maintain positive working relationships with key stakeholders, including the public, service users, carers, the wider voluntary sector, NHS and Council funded service providers, Stockton-on-Tees Council and Hartlepool and Stockton-on-Tees Clinical Commissioning Group, Healthwatch England and the Care Quality Commission.

- Act as an ambassador and champion for Healthwatch Stockton-on-Tees, promoting its achievements and vision widely and proactively.
- Represent Healthwatch Stockton-on-Tees on the Health and Wellbeing Board and ensure this statutory responsibility is undertaken with full regard to the interests of Healthwatch Stockton-on-Tees.
- This may from time to time include representing Healthwatch Stockton-on-Tees at regional or national events.

3. Ensure good governance

- Ensure compliance with Healthwatch Stockton-on-Tees regulations and legislation, its agreed constitution and codes of practice.
- Ensure adherence to the Healthwatch Stockton-on-Tees code of conduct and all relevant policies and procedures.
- Ensure there is a framework in place for identifying, mitigating, managing and reviewing risks to the effective delivery of Healthwatch Stockton-on-Tees aims and objectives.
- Ensure that annual reports and accounts are produced and authorised according to Healthwatch England standards.
- Chair Board meetings effectively and impartially and ensure issues are discussed in a fair, professional and timely manner.
- Ensure that agreed standards of behaviour and conduct are maintained by the Board and Membership in line with Healthwatch Stockton-on-Tees Code of Conduct and the Nolan Principles of Public Life: selflessness, integrity, objectivity, accountability, openness, honesty and leadership.
- Ensure that decisions are taken and recorded in line with agreed/appropriate procedures.
- Ensure complaints about Healthwatch Stockton-on-Tees are dealt with appropriately and that any relevant personal, professional or commercial interests are declared and managed appropriately.

4. Oversee performance of the organisation

- Lead the Board in reviewing the performance of Healthwatch Stockton-on-Tees against the agreed work programmes and performance targets.
- Ensure the business of Healthwatch Stockton-on-Tees in support of agreed work plans and priorities is conducted efficiently and effectively with agreed reporting mechanisms.
- Ensure the Board oversees the statutory powers and duties of Healthwatch Stockton-on-Tees and that reports and recommendations are authorised and forwarded to relevant stakeholders.
- Ensure Healthwatch Stockton-on-Tees establishes service standards and reviews stakeholder satisfaction with its performance against these standards.
- Promote the achievements and successes of Healthwatch Stockton-on-Tees.
- Establish processes to address issues of underperformance within Healthwatch Stockton-on-Tees in a timely and effective manner.

Key competencies

- High-level leadership skills.
- Ability to chair and manage meetings effectively.
- Creative problem-solving ability and willingness to adapt to changing environment within which Healthwatch Stockton-on-Tees operates.
- Best-interests decision making ability.
- Ability to absorb, analyse, interpret and communicate complex information.
- Strategic thinking and forward-planning skills.
- Proficient at listening to and ensuring that seldom heard stakeholders have the opportunity to contribute.
- Skilled in building strong, professional relationships and collaborative working arrangements with stakeholders.
- Ability to motivate and inspire others and drive forward change and improvement.
- Excellent communication and interpersonal skills with the ability to negotiate effectively, challenge positively, influence others and communicate with a wide range of audiences and stakeholders at different levels.
- Ability to use IT and web based applications e.g. Microsoft Office, the Internet and social media.

Knowledge and experience

- Extensive and up-to-date knowledge of the health and social care environment both locally and nationally: structures/legislation/functions/commissioning/providing.
- Substantial experience in representing the 'voice' of others, ideally in a health or social care context.
- Local knowledge of Stockton-on-Tees' health and social care environment and a strategic understanding of the health and wellbeing needs of the area.
- Understanding of the challenges facing the NHS and Local Government which may impact on community health and well-being.
- Experience of overseeing governance arrangements.
- Understanding of the Health and Well Being Board, Scrutiny and Clinical Commissioning functions.
- Experience of working with a diverse range of local partners and networks e.g. Voluntary and Community Sector organisations, Stockton-on-Tees Council and Hartlepool and Stockton-on-Tees Clinical Commissioning Group.

Role description for Healthwatch Executive Board Member

The role of Board member is to work with and support the Chair in directing Healthwatch Stockton-on-Tees and ensuring the organisation achieves its aims and objectives. He/she will ensure that Healthwatch Stockton-on-Tees is effective, inclusive and accountable to local people and makes an impact on local NHS and social care service delivery.

He/she will ensure the implementation of robust and principled governance arrangements which reflect the duties, powers and responsibilities invested in Healthwatch Stockton-on-Tees by the Health and Social Care Act 2012.

An Executive Board member will:

1. Provide strategic direction to Healthwatch Stockton-on-Tees

- Work with the Chair in establishing Healthwatch Stockton-on-Tees and operating to its agreed values, principles and strategic priorities.
- Support the Chair and other board members to ensure clear lines of accountability, representation and feedback within Healthwatch Stockton-on-Tees and in relationships with external partners and stakeholders.
- Assist in identifying key priorities and issues to inform the work of Healthwatch Stockton-on-Tees as well as agree the Healthwatch Stockton-on-Tees work plan.
- Support the recruitment of appropriately skilled 'Enter and View' volunteers to ensure Healthwatch Stockton-on-Tees executes its statutory role.

2. Represent Healthwatch Stockton-on-Tees

- Uphold the reputation of Healthwatch Stockton-on-Tees and demonstrate its values and principles at all times when representing the organisation.
- Build and maintain positive working relationships with key stakeholders, including the public, service users, carers, the wider voluntary sector, NHS and Council-funded service providers, Stockton-on-Tees Council and Hartlepool and Stockton-on-Tees Clinical Commissioning Group, Healthwatch England and the Care Quality Commission.
- Act as an ambassador and champion for Healthwatch Stockton-on-Tees, promoting its achievements and vision widely and proactively.
- Ensure that there is a two-way flow of feedback and information between Healthwatch Stockton-on-Tees Executive Board members, Healthwatch Stockton-on-Tees members and the networks/groups they represent.

3. Promote good governance

- Support the Chair to ensure compliance with Healthwatch Stockton-on-Tees regulations and legislation and agreed constitution and codes of governance.
- Adhere to the Healthwatch Stockton-on-Tees code of conduct and all relevant policies and procedures.
- Ensure there is a framework in place for identifying, mitigating, managing and reviewing risks for the effective delivery of Healthwatch Stockton-on-Tees aims and objectives.
- Support the Chair in ensuring that agreed standards of behaviour and conduct are maintained by the Board and Membership in line with Healthwatch Stockton-on-Tees Code of Conduct and the Nolan Principles of Public Life: selflessness, integrity, objectivity, accountability, openness, honesty and leadership.
- Ensure any relevant personal, professional or commercial interest in matters being discussed by the Board is declared.

- Be personally responsible for ensuring issues are discussed in a timely manner.

4. **Oversee performance of the organisation**

- Support the Chair in reviewing the performance of Healthwatch Stockton-on-Tees against the agreed work plans and performance targets.
- Ensure the work of Healthwatch Stockton-on-Tees to support agreed work plans and priorities is conducted efficiently and effectively through identified leads and regular reporting.
- Oversee the 'Enter & View' activity of Healthwatch Stockton-on-Tees and authorise reports and recommendations to be forwarded to relevant agencies.
- Ensure Healthwatch Stockton-on-Tees establishes service standards and reviews public, service user and carer satisfaction with its performance against these standards.
- Establish processes to address issues of underperformance of Healthwatch Stockton-on-Tees in a timely and effective manner.

Key competencies

- Effective problem solving and analytical skills with the ability to understand and work with complex information.
- Proficiency at listening to and ensuring that seldom heard stakeholders have the opportunity to contribute.
- Skilled in building strong relationships and collaborative working partnerships.
- Ability to work as part of a team and enthuse others.
- Excellent communication and interpersonal skills with the ability to negotiate effectively, challenge positively, influence others and communicate with a wide range of audiences and stakeholders at different levels.
- Ability to effectively participate in discussions and represent service users/carers views in a clear and professional manner.
- Ability to use IT and web based applications e.g. Microsoft Office and internet.

Knowledge and experience

- Good local knowledge of Stockton-on-Tees' health and social care.
- Strong connections with and knowledge of local communities, networks and services.
- Experience of working in a collective decision-making group such as a board or committee, or high-level awareness of 'board-level' working.
- Broad understanding of the health and social care environment both locally and nationally: structures/legislation/functions/commissioning.
- Demonstrable experience in representing the 'voice' of others.
- Understanding of the challenges facing the NHS and Local Government which may impact on community health and well-being.
- Understanding of the Health and Well Being Board, Scrutiny and Clinical Commissioning functions.

- Experience of working with a diverse range of local partners and networks e.g. Voluntary and Community Sector organisations, Stockton-on-Tees Council, Hartlepool and Stockton-on-Tees Clinical Commissioning Group, Health and Social Care providers.

Relevant policies and procedures

No.	Policy Title	Version number	Review date
1	Code of Conduct for Healthwatch Stockton-on-Tees Board Members	00	August 2019
2	Healthwatch Stockton-on-Tees Executive Board Term of Reference	00	
3	Register of Interest Policy	01	April 2019
4	Enter and View Visits by Healthwatch Stockton-on-Tees Authorised Representatives	00	February 2019
5	Meetings in public		
6	Political campaigning		
7	Volunteer recruitment, training and support		
8	Complaints Policy for Healthwatch Stockton-on-Tees		
9	Healthwatch Stockton-on-Tees Press, Media and Social Media Policies	01	June 2015
10	Requests for Healthwatch representation		
11	Regulations governing production of Annual reports		
12	Protocol for submitting 20 day requests for a response to letters, reports and recommendations from Healthwatch		
13	Pioneering Care Partnership Confidentiality Policy	07	Aug 2017
14	Vetting: Disclosure and Barring (DBS) checks policy		
15	Healthwatch Summary Safeguarding Children and Adults Procedure		
16	Protocol for Prioritising Work Plan Issues	01	Oct 2015
17	Equality and Diversity Policy	07	Dec 2014
18	PCP Health and Safety Policy	12	Jan 2015
19	Guidance on Freedom of Information (FOI) requests	-	-
20	Escalation to Healthwatch England Policy		
21	Additional National Guidance on legislation affecting local Healthwatch	-	-

22	Local policies and procedures:	-	-
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1. Code of conduct

Healthwatch Stockton-on-Tees has a duty to protect its good name and reputation. The purpose of this Code of Conduct is to set out the standards of behaviour expected of all members of Healthwatch Stockton-on-Tees and those acting on behalf of Healthwatch Stockton-on-Tees to ensure that anyone who comes into contact with one of our members or representatives is treated in accordance with this Code of Conduct.

1.1 Scope of this Code of Conduct

This Code of Conduct applies to anyone involved in Healthwatch Stockton-on-Tees' activities including all members, volunteers, staff and those providing services or support on Healthwatch Stockton-on-Tees' behalf.

1.2 Why Healthwatch Stockton-on-Tees has a Code of Conduct

Healthwatch Stockton-on-Tees' aim is to create a positive environment within which members and others with an interest in our work can contribute freely, equally and openly.

To achieve this we need to ensure that:

- All contributions from members are accorded equal value.
- Contributions from others with an interest or stake in our work are treated with respect and courtesy.
- Breaches of the Code of Conduct are tackled consistently and fairly.
- The Nolan Committee's Seven Principles of Public Life are applied to all aspects of Healthwatch Stockton-on-Tees' activity.

1.3 The Nolan Principles of Public Life

Healthwatch Stockton-on-Tees expects all members and those acting on behalf of Healthwatch Stockton-on-Tees to be committed to the following principles and behaviours:

Respect

Respect and uphold the good reputation of Healthwatch Stockton-on-Tees and treat everyone they come into contact with through Healthwatch Stockton-on-Tees with equal respect and courtesy.

Openness and accountability

Conduct themselves fairly and openly when involved in Healthwatch Stockton-on-Tees' activities and be accountable to Healthwatch Stockton-on-Tees for any decisions and actions taken on behalf of Healthwatch Stockton-on-Tees.

Honesty

Conduct themselves honestly and withdraw from involvement in any business of Healthwatch Stockton-on-Tees where they have, or could be seen to have, a conflict of interest, whether

personal, professional, financial or other. In particular, make known any interest in any matter under consideration by Healthwatch Stockton-on-Tees which:

- Either creates a real danger of bias - that is, the interest affects him/her, or a member of his/her organisation or household, more than others affected by the decision;
- Or which might reasonably cause others to think it could influence the decision.

In the above situation, they should declare the nature of the interest and withdraw from a meeting or discussion, unless the remaining members agree otherwise.

Best interests and objectivity

Act in the best interests of Healthwatch Stockton-on-Tees at all times, taking any decisions on merit and promoting public confidence in Healthwatch Stockton-on-Tees. When speaking on behalf of Healthwatch Stockton-on-Tees, accurately represent the collective views of those they are representing on behalf of Healthwatch Stockton-on-Tees and provide timely and accurate feedback to Healthwatch Stockton-on-Tees and those they are representing.

Integrity

Conduct themselves in a manner which does not damage or undermine the good reputation of Healthwatch Stockton-on-Tees or place them under any financial or other obligation to any person or organisation that may attempt to influence any decision or action taken on behalf of Healthwatch Stockton-on-Tees.

Leadership

Lead by example, supporting these principles in order to maintain and strengthen public trust and confidence in the business of Healthwatch Stockton-on-Tees.

1.4 Equality and Diversity

Healthwatch Stockton-on-Tees is committed to understanding, accepting and appreciating individual difference. In practice, this means treating others with dignity and respect, recognising the value of each individual and their experience. Healthwatch Stockton-on-Tees will not tolerate discrimination against others based on (but not limited to) employment status; health status; economic or social status; ethnic origin; gender; disability; age; sexuality or religion.

1.5 Representing Healthwatch Stockton-on-Tees

All roles which involve representing the interests of Healthwatch Stockton-on-Tees (and its members) will be agreed by the Healthwatch Stockton-on-Tees Executive Board or Healthwatch Stockton-on-Tees Project Lead as appropriate. These roles include a requirement to represent the best interests of Healthwatch Stockton-on-Tees within the Nolan Principles (above) and to provide feedback to Healthwatch Stockton-on-Tees and others in a timely and structured way.

When speaking or acting on behalf of Healthwatch Stockton-on-Tees, representatives will reflect the priorities and policies of Healthwatch Stockton-on-Tees, even if they differ from personal views. Approaches to members by third parties for Healthwatch Stockton-on-Tees

information or views (including contact with the media) must be referred to the Healthwatch Stockton-on-Tees Project Lead or the Chair of the Board.

1.6 Confidentiality

Those involved in Healthwatch Stockton-on-Tees' activities will respect confidentiality and not divulge third party information without the agreement of the third party, the Healthwatch Stockton-on-Tees Project Lead or the Chair of the Board and operate in line with Pioneering Care Partnership's Confidentiality Policy.

1.7 Complaints, comments and concerns about Healthwatch Stockton-on-Tees

Healthwatch Stockton-on-Tees will respond to any complaints, comments and concerns in a timely and consistent way, in line with its published policy. Members are expected to raise any complaints, comments and concerns with Healthwatch Stockton-on-Tees in the first instance. Members who raise issues with third parties before giving Healthwatch Stockton-on-Tees an opportunity to respond will be in breach of this Code of Conduct.

1.8 Participation in Healthwatch Stockton-on-Tees meetings and other activities

Members and Healthwatch Stockton-on-Tees representatives agree to:

- Attend on time and be prepared.
- Send apologies if unable to attend.
- Listen to, respect and value the opinions of others.
- Speak one at a time, through the Chair or meeting facilitator.
- Be clear and keep to the point, using plain English and avoiding jargon and acronyms.
- Ask for more information or explanation, if necessary.
- Declare an interest where one exists or may be perceived to exist.
- Work positively with Healthwatch Stockton-on-Tees staff and representatives.
- Provide feedback to those they represent.
- Respect the authority of the role of the Chair or meeting facilitator and accept a majority vote, where needed, as decisive.

1.9 Sanctions

Breaches of this Code of Conduct by members will be handled by the Healthwatch Stockton-on-Tees' Chair and Executive Board with support and advice where required from Pioneering Care Partnership. The following sanctions are available to the Executive Board:

- Informal warning;
- Formal warning;
- Suspension from some or all Healthwatch Stockton-on-Tees' activities;
- Termination of Healthwatch Stockton-on-Tees membership.

Breaches of this Code of Conduct by staff and those providing support and services to Healthwatch Stockton-on-Tees via a formal arrangement with Pioneering Care Partnership will be dealt with through Pioneering Care Partnership's policies and procedures.

2. Healthwatch Stockton-on-Tees Executive Board Terms of Reference

Vision

The vision for Healthwatch Stockton-on-Tees is that it will empower people and communities to improve health and social care services together.

The aim will be:

- To give local people and communities a stronger voice to influence and challenge how health and social care services are provided within their locality.
- To provide or signpost people to information to help them make choices about health and social care services.
- To encourage and support people and groups to share their views about services and listen to people's needs and experiences of services.
- To enable people who use NHS services to access support when making a complaint.

Healthwatch Stockton-on-Tees will have the following legislative powers:

- To enter and view specific types of premises where care and services are provided.
- To ask for information and expect a response within a specific timescale.
- To make recommendations to service commissioners and providers and expect a response within a specific timescale.
- To refer matters to the relevant Overview and Scrutiny Committee (OSC) and expect a response.
- To alert Healthwatch England to concerns about specific care providers.

Overarching objectives

Healthwatch Stockton-on-Tees will:

- Fulfil its statutory duties and functions, holding providers and commissioners of health and social care services to account.
- Operate as a corporate body as stated in The Health and Social Care Act 2012, embedded in local communities.
- Act as a local consumer champion, representing the collective voice of patients, service users, carers and the public through its statutory seat on the Health and Wellbeing Board and providing robust challenge and scrutiny in the interests of its Members and the citizens of Stockton-on-Tees.
- Exercise real influence on commissioners, providers, regulators and Healthwatch England, using its knowledge of what matters most to local people.
- Report concerns about the quality of local health and social care services to Healthwatch England which can then recommend that the Care Quality Commission take action.
- Provide information to patients and public who need to access health and care services and promote informed choice in health and social care services.

- Support individuals to get information and independent advocacy if they need help to complain about NHS services.
- Build on and utilise existing networks, knowledge, skills and services in support of Healthwatch Stockton-on-Tees rather than duplicate what is already in place.

1. Role and purpose of the Healthwatch Stockton-on-Tees Board

- To provide strategic oversight and good governance to Healthwatch Stockton-on-Tees and ensure that Healthwatch Stockton-on-Tees delivers its strategic objectives above and adheres to any regulations published by Government relating to Healthwatch Stockton-on-Tees.

2. Primary activities

- To agree priorities and sign off the annual work programme for Healthwatch Stockton-on-Tees based on feedback from members and communities, and ensure that it takes account of the Joint Strategic Needs Analysis and Health and Well Being Board, Clinical Commissioning Group and other key health and social care strategies.
- Consider emerging issues identified and requests raised with Healthwatch Stockton-on-Tees and agree further action and/or escalation as appropriate in line with Healthwatch England Escalation Policy.
- Receive reports and recommendations from Task and Finish Groups and agree further actions and escalate where necessary in line with Healthwatch England Escalation Policy
- Oversee Enter and View activity in line with the work programme, receive reports and recommendations and escalate where necessary in line with Healthwatch England Escalation Policy.
- Oversee the proportionate and judicious exercise of other statutory duties and powers held by Healthwatch Stockton-on-Tees.
- Represent Healthwatch Stockton-on-Tees via the Chair on the Health and Well Being Board.
- Evaluate, prioritise and authorise requests for Healthwatch Stockton-on-Tees member representation on other partner activity including boards, meetings, consultations and panels and other events relevant to Healthwatch Stockton-on-Tees business.
- Have strategic oversight of agreed delivery plans, and monitor progress reports and financial information produced by Pioneering Care Partnership as the contracted delivery organisation for Healthwatch Stockton-on-Tees and contribute to development of future delivery plans aligned to work programme on an annual basis.
- Actively promote the work of Healthwatch Stockton-on-Tees to anyone in the Borough who could benefit from its services and support or could contribute to its goals
- Ensure the views of the wider Healthwatch Stockton-on-Tees membership are fully considered by the Board and that feedback is regularly provided to the Healthwatch Stockton-on-Tees membership about decisions and priorities set.
- Ensure Healthwatch Stockton-on-Tees operates to high quality and equality standards, and manages any breaches of code of conduct, complaints or conflicts of interest in line with agreed policies and procedures.

- To agree and sign off an annual report and ensure an annual general meeting is held providing information to members on the activities of Healthwatch Stockton-on-Tees.

3. Membership

Healthwatch Stockton-on-Tees is an independent membership organisation. Members can either be organisation or individuals living and/or working in Stockton-on-Tees. Organisations must be voluntary, community or not for profit and have charitable or social objectives. Statutory local authority and NHS organisations involved in commissioning or providing health or social care services are not eligible for membership.

Executive Board members will be appointed from the Healthwatch Stockton-on-Tees membership using a fair and transparent recruitment process against set criteria ensuring their makeup is reflective and representative of the diverse communities of Stockton-on-Tees. The Chair will be recruited separately via a fair and transparent process against set criteria. The Board will consist of a maximum of 10 members. Board members can agree to co-opt additional members where required skills and knowledge do not exist within core board membership.

4. Duration of Board membership and reviews

Board members will be appointed for the duration of the Healthwatch Stockton-on-Tees contract. If Board members stand down during this period creating vacancies, a fair and transparent recruitment process will be applied to fill any vacancies.

Individual Board members will have an annual review conducted by the Chair and Healthwatch Stockton-on-Tees Project Lead. The Chair will have an annual review with Pioneering Care Partnership Head of Projects or Chief Executive.

5. Lines of accountability and legal status for Board

The Board are accountable to the membership of Healthwatch Stockton-on-Tees for the effective, fair and transparent governance of Healthwatch Stockton-on-Tees.

The Board are not formally accountable to the local authority for the delivery of Healthwatch Stockton-on-Tees. Pioneering Care Partnership has a contract with the local authority for the delivery of Healthwatch Stockton-on-Tees and is the accountable body for its delivery.

The Board are required to sign off an Annual Report prepared by Pioneering Care Partnership reporting on the activities of Healthwatch Stockton-on-Tees including:

- Financial information on the income and expenditure on Healthwatch Stockton-on-Tees.
- How Healthwatch Stockton-on-Tees has been representative of the local area.
- How Healthwatch Stockton-on-Tees has carried out engagement and gathered the views of the local people.
- Outcomes achieved.

- Next steps – plans for the coming year, linked to the Joint Strategic Needs Analysis and Joint Health and Wellbeing strategy.

Healthwatch Stockton-on-Tees is not accountable to Healthwatch England.

6. Executive Board Requirements

Board Meetings – Board members are expected to attend all scheduled meetings of the Board.

Working together – Board members will be required to support the objectives and policies agreed by the Board and to contribute to and share responsibility for the decisions of the Board. They will be expected to work constructively with other Board members and staff of Healthwatch Stockton-on-Tees.

Code of Conduct – Board members will be expected to abide fully with Healthwatch Stockton-on-Tees' Code of Conduct, to maintain high standards of probity and follow the Nolan principles of standards in public life. They must also present a positive image of the Board and Healthwatch Stockton-on-Tees at external events.

Training – Board members will be supported to identify training and development needs and seek opportunities for development, attending training events as required. Specific mandatory training will be offered which is relevant to the role of Healthwatch Stockton-on-Tees Executive Board members.

Sub-committee and task and finish group meetings – Board members may be required to participate in various sub-committee meetings Task and Finish Groups.

External meetings and representation - Board members will be asked to attend key partnership meetings on behalf of Healthwatch Stockton-on-Tees and to participate in events linked to supporting, developing or promoting Healthwatch Stockton-on-Tees and its objectives. This may from time to time include representing Healthwatch Stockton-on-Tees at regional or national events.

Preparation time – Board members are required to allocate time for reading reports and preparing for Healthwatch Stockton-on-Tees meetings and external meetings where they are representing Healthwatch Stockton-on-Tees.

7. Meeting governance

- The Executive Board will be considered to be quorate if a minimum of three members are in attendance.
- The Chair will have the casting vote in the event of a split vote.
- Conflicts of interest involving any individual Board member should be declared at the beginning of each meeting in line with the Code of Conduct.

- The Board will meet a minimum of four times per annum.
- All meetings will be minuted by Healthwatch Stockton-on-Tees staff and minutes will be signed as a true record by the Chair/Vice Chair at the following meeting.
- The Chair/Vice Chair will have authority to make decisions in between Board meetings of a nature deemed by the Chair/Vice Chair and Healthwatch Stockton-on-Tees Project Lead as not requiring consideration by the full Board.
- Special meetings will be convened where an urgent important decision requiring full Board consideration is required in between set meetings.

8. Complaints handling

The Chair and Vice Chair as appropriate will be responsible for reviewing complaints in line with the Healthwatch Stockton-on-Tees Complaints Policy.

3. Register of Interest Policy

1. Introduction

The purpose of the register of interest is to ensure that the decision-making of Healthwatch Stockton-on-Tees is publicly accountable. Board members must complete a register of interest form providing information about membership of other agencies and their interests, and especially any interest that they may have in health and social care services.

The information is compiled into the Healthwatch Stockton-on-Tees register of interest (see below) and made publicly available by publication on the website of Healthwatch Stockton-on-Tees.

2. What is an interest?

The point is not whether Board members think they have an interest to declare, but whether a member of the public would think they have an interest to declare.

In addition to the register there is a separate procedure for making a declaration of interest at Board meetings. Board members are expected to declare any interest at the beginning of Board meetings. If something is discussed during a meeting in which a member may be seen as having an interest, it must also be made known during the meeting.

3. What will be on the register of interest?

The register will include the names of Board members, their interests and their membership of relevant agencies.

Interest is defined as being of self, partner, family and relatives, in health and/or social care within Stockton-on-Tees, such as:

- Employment;
- Volunteering;
- Placement;

- Business;
- Receipt or gift of hospitality with an estimated value of £25 or more;
- Other beneficial interest;
- Other involvement in agencies and organisations.

Membership is defined as being of:

- A voluntary organisation or community group including as Trustee or Director;
- Any NHS body, agency or contractor;
- Local authority body or contractor;
- Independent health or care provider;
- Any other agency or group concerned with health and/or social care.

4. Sensitive information

If a Board member considers that information about personal interests is of a sensitive nature, s/he does not need to include it on the public register when registering his or her interest, but it should be discussed with the Healthwatch Stockton-on-Tees Project Lead.

Information that is of sensitive nature means information that, if available for public inspection, would create or is likely to create a serious risk that the member or a person who lives with them may be subjected to violence or intimidation.

5. Enter and View visits by Healthwatch Stockton-on-Tees Authorised Representatives

Healthwatch Stockton-on-Tees Enter and View powers

Enter and View is the opportunity for authorised Healthwatch Stockton-on-Tees representatives to:

- Visit health and social care premises to hear and see how the service users experience the service.
- Collect the views of service users (patients and residents) at the point of service delivery.
- Collect the views of carers, relatives and staff about services.
- Observe the nature and quality of services.
- Collate evidence-based feedback in support of its reports and recommendations
- Report to providers, the Care Quality Commission, the Local Authority, NHS commissioners, Healthwatch England and other relevant partners and thereby inform strategic commissioning decisions.
- Providers and commissioners of services have a legal duty to respond to Healthwatch Stockton-on-Tees Reports and Recommendations within 20 working days

Enter and View is not an inspection

- Other parties – especially the service provider – may think of Enter and View as an inspection - so volunteers carrying out this role will need to work with all parties to dispel any idea that it is an inspection.

- An Enter and View visit offers a layperson's perspective.
- Enter and View is not intended to be a standalone activity, rather is just one tool available to Healthwatch Stockton-on-Tees for collecting evidence for a specific purpose
- Enter and View visits should be used to gather information that you can't get any other way and should be neither a last resort nor a first choice option.
- Enter and View is part of a planned process with a clear purpose in mind.
- It should always be part of the Healthwatch Stockton-on-Tees agreed annual work plan and visits will always be mandated by the Healthwatch Stockton-on-Tees Executive Board
- Visits should only happen outside of a planned programme of work in exceptional circumstances or by negotiation e.g. in support of a Health Scrutiny Review or a Care Quality Commission responsive inspection.

The benefits of Enter and View are that they can help to improve health and social care services by:

- Offering service users an independent, trusted lay person or persons with whom they feel comfortable sharing experiences.
- Capturing and reflecting the views of service users - gathering the 'soft intelligence.'
- Engaging carers and relatives in identifying and sharing best practice i.e. activities that work well.
- Keeping 'quality of life' rather than just physical care and safety firmly on the agenda.
- Encouraging providers to engage with Healthwatch Stockton-on-Tees outside of the Enter and View process.
- Gathering evidence where services are being provided to add to a wider understanding of how services are delivered to local people.
- Supporting the Healthwatch Stockton-on-Tees remit to ensure that the views of service users and carers play an integral part in local commissioning.
- Spreading the word about Healthwatch Stockton-on-Tees.

Where can Enter and View powers be used?

In all premises where health and/or social care is provided and funded from the public purse, including:

- NHS Trusts;
- NHS Foundation Trusts;
- Local Authorities;
- A person providing primary medical services (GP);
- A person providing primary dental services (Dentist);
- A person providing primary ophthalmic services (Optician);
- A person providing pharmaceutical services (Pharmacist);
- A person who owns or controls premises where ophthalmic and pharmaceutical services are provided;

- Bodies or institutions which are contracted by Local Authorities or the NHS to provide health or care services (adult social care homes and day-care centres).

Where Enter and View Powers cannot be used?

- If the visit compromises either the effective provision of a service or the privacy or dignity of any person.
- If the premises where the care is being provided is a person's own home (an authorised representative can enter if invited – but there is no duty to allow them to enter).
- Those parts of premises that are used solely as accommodation for employees.
- Non-communal parts of care homes (bedrooms).
- Areas where health and social care services are not provided (such as offices) or where they are not being provided at the time of the visit.
- If, in the opinion of the service provider, the authorised representative, in seeking to 'Enter and View' its premises, is not acting reasonably and proportionately.
- If the authorised representative does not provide evidence that he or she is authorised by Healthwatch Stockton-on-Tees.
- Activities which relate to the provision of social care services to children are also excluded from the Healthwatch Stockton-on-Tees remit.

Who can carry out Enter and View visits?

Only representatives authorised by the Healthwatch Stockton-on-Tees Board or Project Lead may undertake Enter and View visits and only for the purpose of carrying out the activities of the Healthwatch Stockton-on-Tees which they represent.

Healthwatch Stockton-on-Tees undertakes its own local recruitment, selection and training and also takes account of:

- Local Authority conditions and/or conditions of indemnity insurance.
- The requirement that Representatives undergo a check by the Disclosure and Barring Service (DBS) – formerly CRB.
- A 'nominated person' from Healthwatch Stockton-on-Tees must consider, and be satisfied by the DBS certificate.
- Healthwatch Stockton-on-Tees must make publicly available a comprehensive and up to date list of all of its authorised representatives who are able to take part in Enter and View activities.

Deciding which services will be visited

All visits and representatives must be authorised and appointed by the Healthwatch Stockton-on-Tees Executive Board or the Healthwatch Stockton-on-Tees Project Lead. Visits will normally be aligned to the current work programme. Boards will need to respond to unplanned requests for Enter and View visits on a case by case basis; requests from Health Scrutiny or the Care Quality Commission for example may merit consideration but visits will not normally be

undertaken at the request of service providers. When authorising visits, the Board must ensure that:

- Representatives are properly trained and vetted and recruited from a wide cross-section of the membership.
- They (the Board) appoint a lead visitor Representative to co-ordinate and manage each visit.
- Representatives are properly prepared, understanding the evidence and rationale for the visit and having a clear view about the purpose of the visit.
- Representatives have access to information relevant to the visit supplied in advance by Healthwatch Stockton-on-Tees from the provider e.g. statistical information on staffing levels, missed appointments, opening times.
- Timescales are set for the completion of the draft report which will be submitted to the Board for approval, sent by the chair to the provider for factual accuracy and a response within 20 days where appropriate.
- The Final Report is sent to the service provider and service users, those who commission the service and the Care Quality Commission and Monitor, as appropriate.
- Reports can also be sent to the Health Scrutiny Committee, the Health and Well Being Board and Healthwatch England as appropriate.

Enter and View procedure for Healthwatch Stockton-on-Tees visits

Introduction

This procedure describes the processes to be followed when arranging for Healthwatch Stockton-on-Tees Enter and View authorised representatives to visit premises providing health and social care services for the purpose of observing services and service delivery.

Representatives will observe and assess the nature and quality of services, obtain the views of people using those services, validate evidence already collected and gather information from staff, services users and carers.

Planned/announced visits as part of the Healthwatch Stockton-on-Tees work plan

Prior to a visit, Healthwatch Stockton-on-Tees will supply the provider of the service with the following information in writing:

- A suggested date and time for the visit, along with its approximate duration.
- A summary of any information that has prompted the visit. This can be anonymised where appropriate.
- The purpose of the visit.
- The overall structure of the visit:
 1. Identifying staff and service users that the authorised representatives want to meet;
 2. The number and nature of any discussions along with the identification of any special communication or access needs;

3. The types of activities that the authorised representatives wish to observe;
4. Whether the authorised representatives will be distributing leaflets or other information about Healthwatch Stockton-on-Tees;
5. Whether or not it would be beneficial for staff or current service users to accompany the authorised representatives throughout the visit;
6. The names of the authorised representatives conducting the visit;
7. The identification that Healthwatch Stockton-on-Tees authorised representatives will provide and will be visible throughout the visit;
8. Reassurance that the draft report will be shared with the provider of the service prior to being published and distributed more widely. Providers will be able to correct factual inaccuracies but will not be able to influence, change or rewrite the content of any report. The Executive Board will follow Healthwatch Stockton-on-Tees guidelines for **Submitting 20 days requests for responses to Healthwatch Stockton-on-Tees Reports.** http://www.healthwatchstocktonontees.co.uk/sites/default/files/protocol_for_submitting_20_day_requests_for_a_response_letters.pdf

Where appropriate, draft reports may be shared with those whose feedback or concerns have prompted the visit.

Unannounced visits

Unannounced visits will only take place when there is no other option available to Healthwatch Stockton-on-Tees and other approaches have been considered first.

Unannounced visits must be in response to a concern identified by the local community, such as reports of dirty premises, statistics showing high infection rates, or spot checks to review aspects of service delivery such as waiting times for clinic attendances. The rationale for undertaking such a visit must be documented by Healthwatch Stockton-on-Tees along with the other options considered. Where Healthwatch Stockton-on-Tees does decide it is necessary to conduct an unannounced visit, they will aim to provide the service with the information, listed above as soon as possible after arrival.

Conduct during and after visit

Healthwatch Stockton-on-Tees representatives authorised to enter and view services must:

- Be fully prepared, understanding the evidence and rationale for the visit and having a clear view about the purpose of the visit.
- Have access to information relevant to the visit supplied in advance by the provider e.g. statistical information on staffing levels, missed appointments, opening times.
- Make their presence known to the person they have arranged to meet immediately on arrival, or speak to the most senior person on duty to produce their written authorisation
- Follow the guidance and direction of the lead visitor at all times and seek their advice if unsure about any aspect of the visit.

- Abide by any provider requirements relating to privacy, dignity, health and safety and hygiene and co-operate with any reasonable requests from staff, service users and carers.
- Ensure during and before the visit that Healthwatch Stockton-on-Tees does not deal with individual complaints but can provide help to signpost people to the appropriate body
- Maintain service user confidentiality when capturing verbal and written information.
- Be aware of what action to take if they have concerns about the safety or welfare of a child or vulnerable adult.
- Remain in communal but semi-private areas and work in pairs if people ask to speak to you in confidence. Don't go into bedrooms or staff quarters.
- Avoid commenting on personal equipment or belongings.
- Never offer an opinion or advice on specific care or treatment regimes to patients or service users, their relatives or carers. Any queries must be referred to the staff in charge.
- Work co-operatively with staff to maintain confidence in services e.g. avoids criticism in front of service users. Instead, keep it for the de-brief before leaving and for the written report.
- Don't accept any gifts, gratuities and benefits other than refreshments.
- Be as unobtrusive as possible and avoid disrupting routines or service delivery.
- Respect people's wishes if they don't want to talk to you.
- Ensure you treat people with courtesy and respect, avoiding discrimination or discriminatory judgements.
- Inform the most senior person on duty of their departure and give verbal feedback about the likely content of the written report.
- Use a pro-forma or checklist to gather information which allows comparison between services.
- Inform the Healthwatch Stockton-on-Tees office of any potential problems or conflict which may arise from the findings from the visit.
- Work together after the visit to de-brief each other and put together an evidence based draft report on findings about the service visited for submission to the Executive Board who will check accuracy and then send final copies to the service provider, service users, those who commission the service, the Care Quality Commission, Monitor, Healthwatch England, Health Scrutiny Committee and the Health and Well Being Board as appropriate.

5. Meetings in public

Healthwatch Stockton-on-Tees meetings, including Executive Board meetings, should be open to the public where items on the agenda are making decisions relating to **s221 of the Local Government and Public Involvement in Health Act** activities which include:

- Promoting, and supporting, the involvement of people in the commissioning, provision and scrutiny of local care services;
- Enabling people to monitor and review care services;

- Obtaining the views of people about their needs for and their experiences of local care services;
- Making these views known through reports and recommendations about how local care services could or ought to be improved to those responsible for commissioning, providing, managing or scrutinising local care services.

A **meeting held in public** is not the same as a **public meeting** and those attending are there as observers only with no entitlement to speak or ask questions without the prior agreement of the Chair. The public may also be excluded if the business does not involve s221 activity, is confidential, a developmental or training session or involves receiving information, reports or advice from third parties. This is a decision to be made on a meeting by meeting basis by the Healthwatch Stockton-on-Tees Chair. Meetings held in public can include network meetings, consultations, events, conferences, focus groups and annual meetings where annual work programmes and priorities are discussed and finalised.

Where a decision is made that the meetings are to be held in public, at least three days before the meeting you should be posted at the Healthwatch Stockton-on-Tees or other suitable outlet providing information about the time and place of the meeting. Once signed off by the Healthwatch Stockton-on-Tees Chair, minutes of Executive Board meetings should then be made available as soon as practicable after the meeting by publication on the Healthwatch Stockton-on-Tees website.

If requested by a media outlet, Healthwatch Stockton-on-Tees should supply a copy of the agenda and any relevant papers.

6. Political campaigning

Healthwatch regulations prevent Healthwatch Stockton-on-Tees from being set up as a political body or making political activities its main activity. The regulations do allow Healthwatch Stockton-on-Tees to speak out and to campaign (including for policy or legislative change) provided it is in support of their core purpose of being a consumer champion.

Healthwatch Stockton-on-Tees must not give support or funding to a political party, candidate or politician and is not intended as a vehicle for the expression of political views. Healthwatch Stockton-on-Tees should not endorse or comment upon any party or candidate but instead focus on the issues that they are raising as it relates to people who use health and social care services.

During an election period, Healthwatch Stockton-on-Tees should be mindful not to produce anything which could be regarded as explicitly advocating for a particular political party/candidate or advising members on voting for or against a particular party/candidate.

7. Volunteer recruitment, training and support

All Healthwatch Stockton-on-Tees volunteers, irrespective of their role, will need to undergo induction training which covers the following topics:

- Equality and Diversity;
- Confidentiality;
- Health and Safety;
- Handling aggression and people in distress;
- Safeguarding vulnerable adults and children.

Executive Board members will be offered an in-depth **Skills Audit** to identify any additional training and development needs and **Enter and View Representatives** will require additional training which covers the legal and other requirements of their role.

You will also have a named member of staff as your **Volunteer Supporter** (see front of this handbook) who will discuss your volunteering with you and agree any development needs you may have in order to fulfil your role as volunteer and an action plan (see template at the back of this handbook) where required to address them with you which will be reviewed on a regular basis.

Your Volunteer Supporter will explain the standards we expect of you and will encourage and support you to achieve and maintain these. Your Volunteer Supporter will review your volunteering role with you after a three month trial period and then at least annually thereafter.

Executive Board members will participate in a Board induction and have an annual review conducted by the Chair and Healthwatch Stockton-on-Tees Project Lead, and the Chair will have an annual review with the Healthwatch Stockton-on-Tees Project Lead.

There are four individual volunteer roles on offer through Healthwatch Stockton-on-Tees:

- **Healthwatch Stockton-on-Tees Executive Board members**
- **Healthwatch Stockton-on-Tees Information Champions**
- **Healthwatch Stockton-on-Tees Enter and View representatives**
- **Healthwatch Stockton-on-Tees Volunteer – for specific roles as required**

Volunteers fulfilling any of these roles will be active members of Healthwatch Stockton-on-Tees and will live and/or work locally.

If an individual expresses an interest in becoming a **Volunteer**, the first step is to check whether they are a member, or are eligible for membership and if they are not a member they should complete a standard membership form:

<http://www.healthwatchstocktonontees.co.uk/content/individual-membership-form>

Potential volunteers should then look at the role descriptors for the role they are interested in and complete an **Expression of Interest (EOI) form**

<http://www.healthwatchstocktonontees.co.uk/resources/express-inertest-form> and submit this to the Healthwatch Stockton-on-Tees office for consideration.

Those interested in a role as an **Enter and View representative** will be offered a one hour training including legal responsibilities, a DBS check, feedback on their suitability from the trainer and an informal interview with a Board member or member of Healthwatch Stockton-on-Tees staff. Those wishing to become **Information Volunteers** will be required to undertake relevant training and a DBS check where applicable.

Those interested in joining the **Executive Board** will be offered an informal discussion with Chair or Healthwatch Stockton-on-Tees Project Lead followed by a full application and panel interview. If successful, the Executive Board Skills Audit will be completed plus a DBS check where applicable and mandatory policy training and induction required for the role.

Those with specialist skills to offer will have an informal discussion with member of Healthwatch Stockton-on-Tees staff to negotiate a role descriptor plus a DBS check and mandatory training as required.

Mandatory Policy Training

All Healthwatch volunteers will need to undergo Pioneering Care Partnership standard induction training which covers the following topics:

- Equality and Diversity;
- Confidentiality;
- Health and Safety;
- Handling aggression and people in distress;
- Safeguarding vulnerable adults and children.

Employees of partner organisations acting as **Volunteers** where mandatory policy training has been undertaken and DBS checks are already in place may not be required to undertake further training or have additional DBS checks.

Executive Board members will be offered an in-depth Skills Audit to identify any additional training and development needs and Enter and View Representatives require training which covers the legal and other requirements of their role.

Volunteer Support

All **Volunteers** have a named member of staff as their **Volunteer Supporter** who will discuss their volunteering role with them. Volunteer Supporters will explain the standards expected of volunteers and will offer encouragement and support to achieve and maintain these. Volunteers will be subject to a three month trial period and will have annual reviews.

Healthwatch Stockton-on-Tees pays all volunteers reasonable out of pocket expenses in line with Pioneering Care Partnership policy on submission of valid receipts and claims forms. Volunteers are asked to keep an accurate record of their expenses and submit them monthly where possible (see Volunteer Handbook for details).

The Healthwatch Stockton-on-Tees Volunteer Outreach and Lone Working procedure within the Handbook outlines the measures and procedures which the Pioneering Care Partnership has adopted to protect, as is reasonably practicable, the safety and security of our volunteers, including Board members, volunteering on an outreach or lone working basis.

You can find more detailed information for Healthwatch Stockton-on-Tees Volunteers including role descriptors and the PCP Volunteer Procedures in the Healthwatch Volunteer Handbook <http://www.healthwatchstocktonontees.co.uk/resources/volunteer-handbook>.

8. Complaints policy for Healthwatch Stockton-on-Tees

Individuals and organisations have the right to express their views about Healthwatch Stockton-on-Tees' performance and the manner in which it discharges its responsibilities.

Anyone directly affected by the way in which Healthwatch Stockton-on-Tees has carried out its functions can contact Healthwatch Stockton-on-Tees about their concerns or make a complaint under the **Healthwatch Complaints Policy**.

If the complaint or concern is about **Healthwatch England's** functions or responsibilities then the complaint should be made directly to Healthwatch England using their Complaints Policy see www.healthwatch.co.uk.

How to raise a concern or make a complaint about Healthwatch Stockton-on-Tees

- In the first instance we encourage people to raise a concern or complaint, or offer feedback on the service informally. Providing information or correcting misunderstandings or misconceptions at this stage can enable successful resolution without further escalation.
- If the concern or complaint is not resolved to the complainant's satisfaction, then they should notify Healthwatch Stockton-on-Tees by email, letter or via a telephone conversation with a member of the Healthwatch Stockton-on-Tees staff. If this conversation takes place over the telephone, this will need to be recorded in writing.
- Healthwatch Stockton-on-Tees will acknowledge the concern/complaint in writing (or other preferred method of communication) within **three working days** of receipt.
- Attempts to resolve the concern/complaint will be completed within **21 working days** once the nature of the concern/complaint is understood. Exceptionally, if further time is needed, this will be agreed with the complainant.
- The Healthwatch Stockton-on-Tees Project Lead and Healthwatch Stockton-on-Tees Chair will review all concerns/complaints and agree an appropriate response. If the complaint or concern relates to Pioneering Care Partnership's responsibilities as contract

holder for Healthwatch Stockton-on-Tees then it will be referred to the Pioneering Care Partnership Chief Executive for a response.

- If the complainant is unhappy with the outcome or response to their concern or complaint, they can appeal. A designated Healthwatch Stockton-on-Tees Executive Board member who has not previously been involved in the matter or the Chair of Pioneering Care Partnership's Executive Board will then review the concern/complaint. Once the appeal process has been completed the concern/ complaint will be closed.
- If the complainant is not satisfied by Healthwatch Stockton-on-Tees' response to their complaint they can ask the Parliamentary and Health Service Ombudsman to investigate. The Parliamentary and Health Service Ombudsman is a free, independent service: Tel 0345 015 4033; email phso.enquiries@ombudsman.org.uk Parliamentary and Health Service Ombudsman, Millbank Tower, Millbank, London SW1P 4QP.

9. Healthwatch Press, Media and Social Media Policy

In establishing Healthwatch Stockton-on-Tees as an effective consumer champion on health and social care, promoting public and stakeholder awareness of Healthwatch Stockton-on-Tees, and ensuring Healthwatch Stockton-on-Tees is seen as credible and trustworthy, we will operate to clear and consistent procedures set out below when dealing with media enquiries and/or working proactively with the media.

Healthwatch Stockton-on-Tees is keen to develop a good rapport and work proactively with the media, whilst ensuring that confidentiality and consent are maintained at all times. As a public service, it is also possible that we may also attract less positive attention from the media, which could have a damaging effect to our reputation. This requires careful handling.

This document outlines the procedures and arrangements for press releases and handling the press and what we should do if approached by the media or if involved in a situation that will attract media attention.

Press Release Procedure

The standard template for Healthwatch press releases:

S:\Project Services\Healthwatch\Healthwatch\Marketing & Comms\Publicity & press\Healthwatch_PRESS_RELEASE_template.dotx should always be used and any press releases should be edited and finalised by the Pioneering Care Partnership Healthwatch Communications Lead, and authorised by the Healthwatch Stockton-on-Tees Project Lead.

Any press release authorised for distribution externally must also be circulated to the relevant Healthwatch Stockton-on-Tees staff and Chair of the Executive Board for information and placed on the relevant Healthwatch Stockton-on-Tees website. Consideration should also be given to circulating relevant press releases to the Healthwatch England Communications Team and /or regional representatives.

The Healthwatch Stockton-on-Tees Project Lead and Pioneering Care Partnership Healthwatch Communications Lead will agree further distribution as appropriate i.e. to organisations mentioned or implicated in the press release.

The Healthwatch media contact list <S:\Project Services\Healthwatch\Healthwatch\Marketing & Comms\Healthwatch Media Contacts.xls> should be used as a conduit for all press releases, articles etc. and should be updated annually.

Consent and confidentiality

Healthwatch Stockton-on-Tees has a duty to protect confidentiality. We cannot share written or photographic information that will lead to the identification of an individual without their informed consent. Consent where appropriate must be sought by the member of staff in contact with the individual using the appropriate media consent forms (see appendix 1 and 2) for the individual to sign.

Media procedure

All approaches for interviews, statements and/or filming to Healthwatch Stockton-on-Tees must be directed towards the Healthwatch Stockton-on-Tees Project Lead. All correspondence with the media, including replying to requests for information, must first be signed off by the Healthwatch Stockton-on-Tees Project Lead.

If a media representative or journalist contacts a staff member, Board member or volunteer directly for a comment on Healthwatch Stockton-on-Tees or its work, he/she should be directed to the Healthwatch Stockton-on-Tees Project Lead. No member of staff, Board member or volunteer should speak to the media about Healthwatch without authorisation by the Healthwatch Stockton-on-Tees Project Lead.

Dealing with media situations

To effectively deal with media enquiries Healthwatch Stockton-on-Tees must:

- a. Take full details of the enquiry including the journalist's name, contact details, publication and deadline.
- b. Respond to the journalist in full by their deadline. If this is not possible, give a holding statement until a full response is available.
- c. Make sure all the information needed to respond is in place. Check with the journalist how much detail is wanted, what the angle of the story is, who else they are talking to and what their deadline is.
- d. Be helpful, polite and positive.
- e. Make sure an appropriate representative for Healthwatch Stockton-on-Tees i.e. Healthwatch Stockton-on-Tees Project Lead is available for interview and is fully briefed if required
- f. Never say 'no comment' as this can sound as if you have something to hide even when you don't.
- g. Stick to the facts and do not speculate.

h. Avoid going 'off the record' - as what you say can be used, although not directly attributed to you.

Dealing with negative media situations

A small proportion of media enquiries will be hostile, and these need to be handled especially carefully to limit potential damage to the organisation.

The Manager must keep the Chair of the Board informed of any approaches, comments and responses. If a journalist contacts a staff member, Board member or volunteer directly, he/she should be directed to the Healthwatch Co-ordinator or Healthwatch Stockton-on-Tees Project Lead. No member of staff should speak to the media in their capacity as a Healthwatch employee, volunteer or Executive Board member without speaking to the Healthwatch Co-ordinator or Healthwatch Stockton-on-Tees Project Lead first.

If there is a major hostile enquiry which has wider implications, the Healthwatch Stockton-on-Tees Project Lead may decide to share this with the Communications Team at Healthwatch England and/or seek advice from the Healthwatch England Communications Team.

When dealing with a bad news story, the following points must be adhered to:

- a. Act quickly - a speedy response and a good statement will help limit the damage and sometimes kill off an inaccurate story altogether.
- b. Never say 'no comment' - if there isn't enough factual information to give out, or if there are reasons to keep the information confidential, give a holding statement which puts the story in context.
- c. Be honest and open. Do not try to deceive the media - journalists usually find out and it will make the story twice as hard to deal with.
- d. If there has been a genuine mistake, the Healthwatch Stockton-on-Tees Project Lead will liaise with the Healthwatch Stockton-on-Tees Chair to agree on a statement to journalists, and apologise swiftly and sincerely if necessary and also explain what is being done to put it right.
- e. Make sure the appropriate spokespeople are available for interview and are fully briefed.
- f. Provide simple systems for deciding what the organisations stance is on any given issue and for disseminating that information throughout the organisation.
- g. Contact Healthwatch England Communications Team for advice where necessary

Adopted by the Healthwatch Executive Board

Signature of Chair:

Date:

Date of Review:

Social media policy

Healthwatch Stockton-on-Tees operate a number of accounts on social media websites for the promotion of activities and events, and as a communication method.

Healthwatch Stockton-on-Tees accepts that the use of social networking is a valuable resource and tool. However, misuse of this facility can have a negative impact upon the productivity and reputation of Healthwatch Stockton-on-Tees.

The following outlines the limits of their use by Healthwatch Stockton-on-Tees:

- a) An official account on any social media website may only be set-up with consent from Pioneering Care Partnership's Operations Manager.
- b) Any contact between Healthwatch Stockton-on-Tees staff and volunteers/members through personal social media accounts must not be undertaken.
- c) Only authorised staff may use these accounts to post online and access to the account should be strictly limited.
- d) All information published on the Internet must comply with Healthwatch Stockton-on-Tees confidentiality, safeguarding and data protection policies.
- e) Copyright laws must be respected, with references or sources cited appropriately.

Healthwatch Stockton-on-Tees staff and/or appointed volunteers must ensure that they:

- a) Comply with current legislation and the Healthwatch Stockton-on-Tees Code of Conduct.
- b) Use social media in accordance with rules and regulations as stated by service provider (i.e. Facebook, Twitter etc.)
- c) Do not create unnecessary risk to Healthwatch Stockton-on-Tees by misusing social networking tools and associated technologies.
- d) Comply with Pioneering Care Partnership's Use of Social Media Policy if they are a Pioneering Care Partnership employee.
- e) Contact the Healthwatch Stockton-on-Tees Co-ordinator or Project Lead if they become aware of social networking activity in the name of Healthwatch Stockton-on-Tees that would be deemed inappropriate.

Unacceptable behaviour

In addition to Healthwatch Stockton-on-Tees staff and representatives using official social media channels, users must also be aware of the actions of other individuals and groups. The following is deemed as unacceptable use by Healthwatch Stockton-on-Tees using social networking or associated tools to send offensive or harassing material to other users.

- a) Gaining unauthorised access to networks/computers/user accounts.
- b) Publishing defamatory and/or knowingly false material about Healthwatch Stockton-on-Tees, and or its members or partners etc.
- c) Introducing any form of malicious or inappropriate software or applications to Healthwatch Stockton-on-Tees online resources.
- d) Using Healthwatch Stockton-on-Tees networks or services to trade or undertake personal interests or activities.

10. Requests for Healthwatch Representation

Healthwatch Stockton-on-Tees will be regularly approached by stakeholders, groups and organisations seeking regular representation from Healthwatch Stockton-on-Tees on their own Boards, Partnerships or Networks. Likewise, Healthwatch Stockton-on-Tees from time to time may wish to ask a Healthwatch Stockton-on-Tees member to represent its interests at a one-off event, meeting or conference.

Requests for representation or opportunities to represent Healthwatch Stockton-on-Tees at one-off events must **always** be agreed by the Healthwatch Stockton-on-Tees Chair, Board or the Healthwatch Stockton-on-Tees Project Lead. Where necessary, representatives can be briefed by staff, or staff may attend in support of a member where required.

Requests for Healthwatch Stockton-on-Tees representation should be considered in light of:

- The potential benefits/opportunities arising from Healthwatch Stockton-on-Tees participation.
- Any risks from Healthwatch Stockton-on-Tees participation.
- The expectations of those making the request for a Healthwatch Stockton-on-Tees representative and whether they are realistic and achievable.
- The level of awareness and understanding by those making the request of the role of Healthwatch Stockton-on-Tees in shaping and influencing services, not just being consulted about them.
- How representatives can confidently represent the interests of the wider Healthwatch Stockton-on-Tees membership and communicate their progress and information.

Where Healthwatch Stockton-on-Tees members have been nominated to attend events on behalf of Healthwatch Stockton-on-Tees and its members, they must make it clear that this is the capacity in which they are attending. We recognise that other Healthwatch Stockton-on-Tees members may be at the same or other events but they must make it clear they are there in an individual capacity, rather than in a representative role.

Feedback

All representatives of Healthwatch Stockton-on-Tees will complete and return this Feedback form to the Healthwatch Stockton-on-Tees office within 10 working days after the meeting or event: <http://www.healthwatchstocktonontees.co.uk/resources/member-feedback-form>

11. Regulations governing production of Annual Reports

Healthwatch Stockton-on-Tees must submit an Annual Report to Healthwatch England by the end of the first quarter (June) of each financial year. The minimum requirements of Annual reports are that they detail:

- The name and address of the registered or principal office, and contact details of Healthwatch Stockton-on-Tees at the end of the financial year.
- The name and address of the registered or principal office and contact details at the end of the financial year, of any relevant contractor of Healthwatch Stockton-on-Tees.

- The steps taken during the financial year by Healthwatch Stockton-on-Tees to involve lay persons and volunteers² in:
 1. The governance of Healthwatch Stockton-on-Tees;
 2. Relevant decisions of Healthwatch Stockton-on-Tees;
 3. The undertaking of s221³ activities (including by any relevant contractor).
- Details of payments made to Healthwatch Stockton-on-Tees during the financial year by the Local Authority.
- The s221 activities undertaken during the financial year.
- The impact of these activities on the commissioning, provision and management of the health and care services including improvements to those services.
- Any recommendations to the Care Quality Commission or the Healthwatch England Committee of the Care Quality Commission about reviews or investigations which require attention.
- The methods used to obtain the views of local people about their needs for, and their experiences of, local care services.
- Steps taken to obtain the views⁴ of a wide range of local people, including those people aged under 21 or over 65, including people who work or volunteer⁵ in the Healthwatch Stockton-on-Tees geographical area.
- Summary of any requests made to providers or commissioners of services during the financial year and the number from whom no response was received.
- Number of Enter and View visits by Authorised Representatives and reasons for the decision to enter and view those premises plus actions taken, if any, following the visit(s).
- What steps are taken to enable the Healthwatch Stockton-on-Tees representative/s on the relevant Health and Wellbeing Board to discharge their responsibilities as a member of the Board?
- The arrangements made to ensure this Annual Report is widely and publicly available.
- (1) A statement as to whether the Healthwatch Stockton-on-Tees has, during the financial year, used the trade mark (h) to which any relevant licence relates in relation to the carrying-on of the relevant section 221 activities.
 - (2) A statement as to whether any relevant contractors of that organisation have, during the financial year, used the trade mark to which any relevant sub-licence relates in relation to the carrying-on of the relevant section 221 activities.

12. Protocol for submitting 20 day requests for a response letters, reports and recommendations from Healthwatch Stockton-on-Tees

² Lay people and volunteers are defined in the NHS Bodies and Local Authorities (Partnership Arrangements, Care Trusts, Public Health and Local Healthwatch) Regulations 2012(c).

³ These are defined in the LGPHIIIH Act 2007

⁴ Views are defined as about their needs for, and their experiences of, local care services; and

⁵ Volunteers are defined engaged in an activity which unpaid apart from out-of-pocket expenses), doing something which aims to benefit a third party

This protocol recognises that Healthwatch Stockton-on-Tees acts as an independent consumer voice for people who use health and social care services.

Healthwatch reporting arrangements

Healthwatch Stockton-on-Tees provides quarterly Project Highlight Reports to the Local Authority as its commissioner on progress against agreed annual milestones, tasks and targets at regular contract monitoring and relationship meetings. These Project Highlight Reports are also shared with the Healthwatch Stockton-on-Tees Board and include a process for alerting either party to risks to project delivery. As part of reporting on its current work programme, Healthwatch Stockton-on-Tees will alert the Local Authority Commissioners to any activity likely to generate Reports and Recommendations which require a response from the Council within 20 days. The Healthwatch Stockton-on-Tees Board may also choose to alert commissioners of other services about Reports and Recommendations which require a response from their service providers.

From time to time Healthwatch Stockton-on-Tees will also provide updates to the Health and Well Being Board and Scrutiny committees about Healthwatch Stockton-on-Tees Reports and Recommendations and reports annually on responses to its requests as part of its Annual Report to Healthwatch England.

Protocol

1. Final drafts of all Healthwatch Stockton-on-Tees Reports requiring a 20 day response will be sent to a named senior manager in the appropriate agency **at least 5 working days** prior to an agreed publication date. This will allow them to check facts or seek clarification from Healthwatch Stockton-on-Tees as appropriate. Where any factual inaccuracies or omissions occur, these will be considered by Healthwatch Stockton-on-Tees and feedback provided prior to publication. In the unlikely event that agreement cannot be reached, a Healthwatch Stockton-on-Tees Board member and/or senior member of Healthwatch Stockton-on-Tees staff will meet the named senior manager to agree a way forward.
2. Recipients of final draft reports will not attempt to influence the content or recommendations in any Healthwatch Stockton-on-Tees report prior to publication or attempt to delay publication.
3. Healthwatch Stockton-on-Tees will include in this final draft a list of all those to whom the final report will be circulated.
4. The named senior manager will not share or discuss the content of the draft report with any other person or organisation without the consent of Healthwatch Stockton-on-Tees.
5. Healthwatch Stockton-on-Tees will send the appropriate agency a copy of the Final Report, including the final circulation list and incorporating any agreed amendments prior to the final publication date.
6. The named senior manager will be asked to co-ordinate a full and appropriate response to Healthwatch Stockton-on-Tees Reports, recommendations and requests for further information within the 20 day timescale and as far as practicable, sooner.

7. The named senior manager will co-ordinate circulation of the Final Report to their own key staff, officers and Elected Members as appropriate and may suggest additions to the circulation list.
8. Healthwatch Stockton-on-Tees Final Reports will be published on the Healthwatch Stockton-on-Tees website within five working days of Executive Board sign-off and will be publicised through e-bulletins, newsletters and social media. Responses to Healthwatch Stockton-on-Tees reports will be published on the Healthwatch Stockton-on-Tees website alongside the Final Report.

13. Confidentiality policy

Pioneering Care Partnership operates a Confidentiality Policy

<http://www.healthwatchstocktonontees.co.uk/resources/confidentiality-policy>, which takes account of the Data Protection Act. All volunteers will abide by this policy which is covered in induction training along with Safeguarding training which will explain circumstances in which the Confidentiality Policy does not apply. Breaches of confidentiality or the Data Protection Act will be addressed by the Volunteer Supporter with support from the relevant senior manager as appropriate.

14. Vetting: Disclosure and Barring (DBS) check policy

Pioneering Care Partnership - Disclosure and Barring (DBS) Checks for Healthwatch Stockton-on-Tees Volunteers

Policy and guidelines

Statement

This policy outlines Pioneering Care Partnership's responsibility with regard to the recruitment of volunteers to support the work of Healthwatch Stockton-on-Tees. DBS checks were formerly known as CRB checks.

The Pioneering Care Partnership is committed to the fair treatment of its volunteers in line with our Equality and Diversity Policy and codes of practice regardless of race, gender, religion, sexual orientation, responsibilities for dependants, age, physical/mental disability or offending background.

The Pioneering Care Partnership actively promotes equality of opportunity for all and with the right mix of talent, skills and potential, and welcomes applications from a wide range of volunteers including those with criminal records. Healthwatch Stockton-on-Tees selects volunteers for consideration interview based on their relevant skills, qualification and experience.

As an organisation using DBS checks to assess the suitability of volunteers, Healthwatch Stockton-on-Tees complies fully with the required Code of Practice regarding the correct

handling, use, storage retention and disposal of DBS checks and information. Healthwatch Stockton-on-Tees also comply fully with our obligations under the Data Protection Act.

What is a disclosure?

A disclosure is a document containing information held by the police and government department. Healthwatch Stockton-on-Tees uses this information to make safe decisions about the suitability of volunteers. A DBS check involves checking the background of volunteers to ensure suitability for a particular role.

The process

A criminal record will not necessarily prevent anyone from working as a volunteer for Healthwatch Stockton-on-Tees. This will depend on the nature of the volunteering role and the circumstances and background of the offence.

1. All volunteers must have a DBS disclosure carried out before they will be allowed to carry out voluntary duties for Healthwatch Stockton-on-Tees.
2. If the volunteer has a DBS disclosure declaration from another organisation which has been carried out within the last three years, then this is acceptable if the volunteering role does not directly involve working with vulnerable adults or children.
3. If the volunteering role directly involves working with vulnerable adults or children then a DBS declaration from another organisation within the last three months is acceptable, and will be reviewed three yearly thereafter.
4. Where volunteering roles do NOT involve access to vulnerable adults or children a DBS check will not be required.
5. Healthwatch Stockton-on-Tees will discuss any matter revealed in a DBS check with the volunteer before deciding that this person is not suitable for a particular volunteering role. A Risk Assessment can be prepared where required to manage any issues which arise from the DBS check.
6. Healthwatch Stockton-on-Tees will ensure that an open and measured discussion takes place on the subject of any offences or other matter that might be relevant to the volunteering role. Failure by a prospective volunteer to declare disclosure information relevant to the role could lead to withdrawal of their application to become a volunteer with Healthwatch Stockton-on-Tees.

Volunteers on the Healthwatch Stockton-on-Tees Executive Board

Having a criminal record will not necessarily prevent anyone from becoming a member of the Executive Board but due to the nature of trust and the responsibility level of this position, careful consideration will be given to the nature and background of any offence.

1. Board members will have a DBS check carried out when joining the organisation.
2. At interview, or in a separate discussion, we ensure that an open and measured discussion takes place on the subject of any offences or other matter that might be relevant to a Board members role. Failure by a prospective Board member to reveal any

disclosure information that is directly relevant to the role could lead to withdrawal of their application to become a Board member.

Security of information

Storage and access

Disclosure information is never kept on a volunteer's file and is always kept separately and securely, in lockable, non-portable, storage files with access strictly controlled and limited to those who are entitled to see it as part of their duties.

Handling

In accordance with section 124 of the Police Act 1997, disclosure information can only be passed to those who are authorised to receive it in the course of their duties. We maintain records of all those to whom Disclosure or Disclosure information has been revealed and we recognise that it is a criminal offence to pass this information to anyone who is not entitled to receive it.

Usage

Disclosure information is only used for the specific purpose for which it was requested and for which the volunteer's full consent had been given.

Retention

Once a decision has been made in respect of the candidate, the DBS disclosure form will be shredded together with all the photocopied application documentation (birth certificate, passport, marriage driving licence etc.), after the relevant basic reference information has been logged on our register. If there was a dispute or need to discuss the disclosure with the volunteer then a Risk Assessment would have been completed and this will be used in any dispute.

This Risk Assessment must not be kept for longer than nine months to allow for any action or considerations which might need to take place during this time span.

Disposal

All outstanding disclosure information (risk assessments) should be shredded after a period of nine months. However, a record of the following information will be securely kept in our confidential storage files:

- CRB Application Form Number;
- Name;
- Position;
- Date sent (application);
- Dated DBS check received;
- Disclosure Reference No.;
- Adults or Adults and Children.

No photocopy or other image of the disclosure or documentation will be kept.

Reviewed June 2014

15. Summary Safeguarding Adults and Children Procedure A vulnerable adult is someone who is aged 18 years or over who 'is or may or may be in need of Community Care services by reasons of mental health or other disability, age or illness' and 'is or may be unable to take care of him or herself, or unable to protect him or herself against significant harm or exploitation.'

The definition is broad and includes but is not restricted to: -

- Adults with physical disabilities;
- Adults with learning disabilities/difficulties;
- Adults with mental health difficulties;
- Adults with a drug or alcohol addiction;
- Homeless adults.

Any concern that a vulnerable adult or child/young person under the age of 18 may be suffering significant harm should be discussed with your Volunteer Supporter, Healthwatch Stockton-on-Tees Coordinator or Project Lead as soon as the concerns arise. They will make a decision regarding breaching confidentiality and taking the issue further.

If someone discloses abuse to you:

- Stay calm, listen carefully rather than question and be sympathetic.
- Be aware that medical and criminal evidence may need to be preserved so do not attempt to remove torn or soiled clothing etc.
- Report the disclosure to your Volunteer Supporter, Healthwatch Stockton-on-Tees Co-ordinator or Project Lead as soon as possible.
- Write down what was said as soon as possible and who you reported it to.
- Tell the person that you will take their disclosure seriously. What happened wasn't their fault and that you have to tell an appropriate member of staff/Manager. You cannot keep the information to yourself if you think they or someone else is at risk.

Do not:

- Put yourself at risk;
- Contact the alleged perpetrator;
- Tell anyone who does not need to know, in line with Pioneering Care Partnership's Confidentiality Policy.

16. Protocol for prioritising work plan issues

Healthwatch Protocol for Prioritising Work Plan Issues

Introduction

Healthwatch Board aims to take a transparent and consistent approach to support prioritising issues that are to be included on their work plan, ensuring that due consideration is given to issues raised by the membership and the Healthwatch Network. This protocol will be applied by the Healthwatch Board as part of its annual planning cycle and the plan will be publicly available/published on website with a clear rationale for including specific issues in the plan.

The Board recognises that some unplanned/unexpected issues may arise during the course of the year which it feels require action or a response and will ensure that sufficient contingency/capacity is built into annual work programmes to allow for this.

Decision Making Process

This scoring system is designed to give a framework through which work plan issues can be considered.

The table below outlines the criteria that have been agreed by Healthwatch Board and gives a scoring system, along with definitions of the scoring criteria where applicable:

*Insert tick in boxes that apply

Issue	1 Identified by HW network/forum as an issue *	2 Robust evidence base this is an issue from more than one individual * specify	3 HWB Strategy Priority *	4 CCG Priority *	5 JSNA Priority *	6 Impacting on Health inequalities *	7 Impact – level of impact on communities Score High Medium Low	8 Probability of influencing/ achieving results/ change Score High Medium Low	9 Cost effectiveness of work High Medium Low	Progress issues Y/N	National or Regional Agenda – cross boundary work Y/N
<i>Example: Support for Migrants & asylum seekers to access healthcare</i>	√	√ <i>ICOS & Bangladeshi Community have raised issue. Any other reports/evidence?</i>	√ <i>reference</i>			√	Medium	Medium	Medium to Low		

Criteria	Definition	Score High, Medium, Low
7. Level of Impact on community	The level of identifiable impact beyond an individual service user/carer and their immediate social group	The issue has a direct and significant impact on a large number of people in the community = High The issue has a direct but significant impact on a small group in the community = Medium The issue has an insignificant or minimal impact on the community or a group within the community = Low
8. probability of influencing or achieving results or change	The likelihood of achieving results/ influencing service change versus	The work is likely to have achieve a result or influence service change within a reasonable time frame = High The work may produce some small result or slight influence on service provision within a reasonable time frame = Medium The work is unlikely to produce any significant change/ or influence on service provision within a reasonable time frame = Low
9. Cost effectiveness	the amount of resources (staff & volunteer time, money) needed to reach the outcome	The work requires little time or resources = High The work will take a reasonable amount of time and resources = Medium The work will take an unreasonable amount of time/resources = Low
National or Regional Agenda	The issue is part of a wider national or regional that is currently being explored. Consider: a) investigating other HW position b) cross boundary activity	

Scoring process

The process for scoring the issues would be for HW staff to prepare a summary report in sections 1 – 6 summarising any factual information or evidence where required which will be considered by the relevant Healthwatch Board. If factual information is not available on any particular criteria then it would be necessary for the relevant Board to use an amount of discretion to give the criteria a score or to seek further information. The relevant Board and Manager will discuss and agree the scores in sections 7, 8 & 9 and a final decision whether or not to progress the issue as part of the work plan will be made. Further consideration will also be made as to whether or not this is a cross boundary issue which may require liaison and joint working with other Healthwatch's and/or Healthwatch England.

17. Healthwatch Equality and Diversity Policy

Pioneering Care Partnership Equality and Diversity Statement of Policy



The Pioneering Care Partnership (PCP) is committed to providing equality of opportunity and this policy statement declares publicly our commitment to challenging discrimination

PCP will not tolerate any kind of discrimination, harassment or oppressive practices.

The organisation wishes to secure genuine equality of opportunity in all aspects of its activities and aims to go beyond the legal requirements by ensuring it applies to the provision of services, all aspects of employment from recruitment, selection and training of staff and volunteers, to conditions of service and reasons for termination of employment.

Everyone at PCP has an individual responsibility to uphold this policy and work in a respectful way

We aim to ensure that:

- No person is treated less favourably than another on grounds of:
 - Sex (gender)
 - Sexuality
 - Gender Reassignment
 - Race, colour, ethnic or national origin
 - Disability
 - Age
 - Pregnancy and Maternity
 - Because they are married (including civil partnerships)
 - Because they have complained of discrimination
 - Religion or Belief
 - Offending background
 - Or any other improper ground

A copy of the full policy is available on request.

Signed:

Carol Gaskarth
Chief Executive

18. Health and Safety

Pioneering Care Partnership and Healthwatch Stockton-on-Tees have a duty of care to avoid exposing volunteers to risks to their health and safety. Pioneering Care Partnership has a Health and Safety Policy <http://www.healthwatchstocktonontees.co.uk/resources/pcp-health-and-safety-policy> in place to protect volunteers and all volunteers will receive a health and safety briefing as part of their induction training.

Given that almost all volunteers will be working off-site, away from the Healthwatch office, it is important that volunteers understand what action to take in a range of situations including:

- Reporting Accidents;
- First Aid;
- Fire procedures;
- Fire Alarms;
- Smoking - respecting the smoking policies of any site visited on Healthwatch business;
- Lone working;
- Handling people who are aggressive or distressed;
- What to do if you have concerns about the safety of vulnerable adults or children.

19. Guidance on Freedom of Information (FOI) requests

http://www.healthwatch.co.uk/sites/default/files/20130822_a_guide_to_the_legislation_affecting_local_healthwatch_final.pdf

20. Escalation to Healthwatch England policy

Guidance from Healthwatch England on when to escalate matters of concern to them can be found here:

http://www.healthwatch.co.uk/sites/default/files/20130603_new_escalation_framework_final_for_web.pdf

21. Additional Guidance national guidance on legislation affecting local Healthwatch:

http://www.healthwatch.co.uk/sites/default/files/a-guide-to-the-legislation-affecting-local_healthwatch.pdf and

http://www.local.gov.uk/c/document_library/get_file?uuid=0a4e69a3-2d07-41d2-896d-0477fde029dc&groupId=10180

22. Append additional local policies and procedures here: