

Healthwatch Stockton-on-Tees Decision Making Policy

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Healthwatch Stockton-on-Tees (HWS) makes its decisions in an open and transparent way, ensuring the interests of the people of Stockton-on-Tees are a priority. This policy provides guidance to the HWS Board to ensure decisions are evidence based leading to a positive impact in the community, promoting good practice and helping to improve access and health and care service delivery.

The governing regulations and standards are:

1. The NHS Bodies and Local Authorities (Partnership Arrangements, Care Trusts, Public Health and Local Healthwatch) Regulations 2012 - referred to as Regulation 40 throughout this document.
2. Freedom of Information Act 2000.
3. Seven Principles of Public Life (Nolan Principles).

This policy applies to all relevant decisions made by HWS.

Relevant decisions

Regulation 40 requires HWS to have in place and publish procedures for making decisions. Decisions include:

- How to undertake our activities.
- Which health and care services we will be focusing on.
- Whether to request information.
- Whether to make a report or a recommendation.
- Which premises to enter and view and when those premises are to be visited.
- Whether to refer a matter to the Overview and Scrutiny Committee, or relevant service provider.
- Whether to report a matter concerning our activities to another person i.e. Care Quality Commission (CQC) or Local Authority.
- Any decisions about sub-contracting.

Relevant decisions do not include day-to-day activity that may be required to carry out exploratory work prior to making a relevant decision.

Who makes decisions?

The HWS Board are responsible for making relevant work plan decisions. The Board can delegate some of the decision making to the HWS Lead, for example, small pieces of work which do not have a substantive impact on staff or resources.

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All relevant decisions, including those delegated to the HWS Project Lead, will be recorded in the minutes of the Board meeting at which the decision was made. The minutes of all Board meetings are available upon request via the HWS email address once agreed as accurate by the Board.

Once a decision has been made, the staff team is responsible for implementation and delivery, with an agreed reporting process to the Board.

The HWS Board will reconsider a decision where new data has become available, or if circumstances change.

HWS is delivered by Pioneering Care Partnership (PCP), who are accountable for the delivery of the HWS contract. PCP is responsible for the employment, governance and safeguarding of the HWS staff team, providing strategic leadership and accountability of contractual, legal and financial duties of HWS. The HWS Board provides strategic leadership, promotes good governance and accountability on service delivery elements, including the engagement strategy, annual review and selection of annual workplan priorities.

How are decisions made?

The potential scope of the work of HWS is vast - the delivery remit includes all publicly funded health and care services, except for Children Services. This means we must prioritise the work we focus on.

The main sources of information to help to determine the work plan will come from:

- Issues raised by the public through HWS and other public engagement events.
- Issues raised through the HWS Information and signposting.
- Information provided via Healthwatch Champions or Community Representatives.
- Information gathered and shared by local voluntary and community sector, (VCSE) or other local Healthwatch about local services.
- Information gathered from relevant national and local reports and media.
- Information gathered from health and social care providers and commissioners.
- Local statistical information.

This list is not exhaustive and other relevant sources of data may be considered.

To prioritise, the HWS Board will carefully consider all sources of information and decide where it can add most value. Areas to be considered include, but not limited to:

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- The fit with our organisational role and responsibilities, ensuring HWS delivers its statutory duties.
- The relevance to local people.
- How much impact HWS can have.

Board meetings are open to the public, and minutes recording decisions will be available via the HWS website.

Decision-making procedures

1. External Workplan Requests

HWS may receive information from external stakeholders, as well as requests for work plan items to be considered by the HWS Board. These requests will be proposed to the HWS Board for decision.

Any workplan request from an external organisation must fit with our current work plan and priorities or be clear that it is of local/national importance.

2. Information & Signposting Enquiries

- When something is brought to our attention for the first time, it is logged.
- If we hear the same a second time, the issue is flagged as an item of interest.
- If the issue is heard a third time, we investigate further to determine any trends and decide what action needs to be taken.

This process is not followed if the issue relates to something that is a specialised condition or is a rare occurrence and the likelihood of us hearing about it more than once is low.

In this case, we will:

- Consult with other local Healthwatch to establish if it is an issue that has been raised elsewhere.
- Liaise with the service commissioner and provider to try to fully understand the issues.
- Decide on further action on a case-by-case basis.

3. Deciding Annual Workplan Items

The process for setting the HWS workplan is as follows.

- HWS team provide the HWS Board with information on priority issues, based on local community intelligence gathered.
- HWS consider other partners work plans, such as Public Health, Local Trust,

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NENC ICB, HWBB and Scrutiny.

- HWS consider elements for continuation from the previous years' work.
- HWS Team present information to the HWS Board for review and decision.

4. Deciding on an Enter & View

We consider the following criteria to decide whether or not to conduct an 'Enter and View':

- Is the service publicly funded?
- Will it affect the provision of care or the privacy and dignity of the people using services?
- Does it relate to health and care services, with the exception of the local authority's social services for people under the age of 18?
- Does it have a clearly defined purpose?
- Does any potential benefit outweigh possible damage to reputation, relationships and influence?
- Is the time needed proportionate to the benefits?
- Are there alternative ways to get the information or achieve the aims and have they been exhausted?
- Will it add value?
- Do we have the resources and capacity to undertake the work?
- An Enter and View is **ONLY** to be used if an alternative way of gathering information is not suitable.

Communicating decisions

HWS have a statutory requirement to publish any 'relevant decisions.' HWS Board minutes, clearly setting out any decisions taken and the reasons for these, will be available via request from the HWS website.

We will share key decisions:

- On social media platforms of X (formerly Twitter) and Facebook.
- In our regular e-bulletins.
- Relevant meetings attended.
- Direct email to relevant VCSE or other stakeholders.
- Other mail groups by VCSE and service user groups as required.

Service users and members of the public are welcome to write to the HWS Board Chair or the Project Lead to raise an issue or question, ensuring openness and transparency.

Appealing against Healthwatch decisions

A member of the public or an external organisation can ask us to reconsider a decision taken. This can be done by submitting a request in writing to the HWS Project Lead explaining why the decision should be reviewed. This information will then be discussed with the Chair and a written response will be provided.

If this process does not satisfactorily resolve the appeal, then further clarity can be sought via the Pioneering Care Partnership Development Manager

Dealing with breaches of any procedure referred to in this policy document, including circumstances in which a breach would be referred to the local authority.

We are statutorily required to set out a procedure that we will follow if we should breach our required procedures. The following procedure will be used if, either:

- We discover that we have inadvertently breached part of our agreed procedures, including between HWS and Stockton-on-Tees Local Authority.
- An extraordinary or urgent event necessitates the HWS Board making an immediate decision that should normally follow the required procedures, but there is either no time to seek wider involvement in the decision, or the matter is too sensitive to do so, so that a breach knowingly occurs.

The HWS Project Lead will review whether or not a breach has occurred and will notify the HWS Chair as soon as possible of their assessment.

A short report will be prepared for the HWS Board members, explaining:

- What the breach to the agreed procedures was and what relevant decision/s was/were affected.
- Whether lay people and/or volunteers had been involved in the relevant decision.
- What steps will be taken to prevent recurrence.
- Who and how to communicate the breach with.

The HWS Board will approve a final version of the report, either at a meeting or by email, and the report on the breach will be posted on the relevant Healthwatch website.

Equality, Diversity and Inclusion statement

HWS is committed to ensuring all decisions made are free from any form of discrimination on the grounds of age, disability, gender, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, nationality, religion or belief, sex and sexual orientation.

HWS will monitor this policy to identify whether it is having an adverse impact on any particular group of individuals and take action accordingly.

Review of policy document

The Board of HWS will review the effectiveness of the decision-making policy and procedures set out in this document annually.

Procedures

HWS undertakes to carry out the following procedures:

1. Publish HWS's most up to date policy document on the HWS website.
2. Ensure all HWS staff read the policy document at least once per year to refresh understanding and awareness of the need for open and transparent decision making.
3. Make available on request minutes from Board meetings where decisions are made in a timely manner via the HWS website. Where decisions are made outside of board meetings, they will be ratified at the subsequent Board meeting.
4. Review and obtain Board approval to HWS's decision making policy on an annual basis.