



Healthwatch Stockton-on-Tees Board Decision Making Policy

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Healthwatch Stockton-on-Tees Board – Decision Making Policy

Policy Statement

Healthwatch Stockton-on-Tees (HWS) makes its decisions in an open and transparent way and ensures the interests of the people of Stockton-on-Tees are always put first. This policy and associated procedures outline the steps taken to ensure decisions are evidence based and lead to substantive impact in the community for all staff, board and volunteers.

This forms part of HWS Board governance which include HWS:

- Recruitment Pack
- Terms of Reference
- Code of Conduct
- Conflict of Interest
- **Decision Making Policy**
- Compliments, Comments and Complaints

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 relevant decisions. Relevant decisions include:

- How to undertake our activities.
- Which health and care services we are looking to cover with our activities.
- The amounts we will spend on our activities.

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- 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.
- Whether to report a matter concerning our activities to another person.
- 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 may make such decisions?

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

All relevant decisions, including those delegated to the HWS 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 Healthwatch Stockton-on-Tees website once they have been agreed by the Board as being a correct record of the meeting concerned.

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

The HWS Board will reconsider a decision where new data has become available, or if circumstances change, which might prompt it to reach a different decision, or where there is evidence that this decision-making process was not followed.

HWS is delivered by Pioneering Care Partnership (PCP), who ultimately hold accountability for the delivery of the contract. PCP is responsible for the employment governance for the HWS staff and provides strategic leadership and accountability on all contractual, legal and financial duties of HWS. The HWS Board provides strategic leadership, promotes good governance and accountability on service delivery elements, including the business plan, annual review and selection of annual workplan priorities.

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Involving lay persons or volunteers in such decisions

The HWS Board is composed partly of lay persons (a person who is not a health or social care professional) and volunteers (a person who is not a paid employee of HWS). HWS intends to secure broad-based views on its activities wherever possible, and involves others, particularly lay people and volunteers in its decision making.

How are decisions made?

The potential scope of the work of HWS is vast - it has a responsibility for health and social care services for all adults, children and young people in Stockton-on-Tees with particular reference to those who are most vulnerable or may be excluded. This means we have to prioritise the issues we focus on.

The main sources to inform our work programme are likely to come from:

- Issues raised by the public through HWS and other public engagement events
- Issues raised through the HWS Information and Signposting function that can be received either online, by email or telephone conversation
- Information provided via Healthwatch Champions
- Information gathered and shared by local voluntary and community sector (VCS) 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 will be considered.

In order to prioritise, HWS Board will carefully consider all sources of information and decide where it can add most value. Areas to be taken into account include but are not limited to:

- That the issues fit with our organisational role and responsibilities, ensuring HWS delivers to its statutory remit
- How much the issue matters to local people, it must be something they care about as we are here to be the voice of people in health and social care.

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- How much change HWS can bring about. This enables us to make sure we are choosing areas where we can have the greatest impact. This is important to deliver the greatest return for our budget.
- Does the change need to come from HWS - so we aren't focusing on things that others can do more easily and effectively.
- Finally, the HWS Board will consider our work as a full set of priorities, as together they need to have the greatest impact for people using health and social care services.

Board meetings are open to the public, and minutes recording decisions will be available via the Healthwatch Stockton-on-Tees website.

Decision-making procedures

1. External Workplan Requests

HWS receive information from the sources detailed above, as well as requests from external organisations, including the Stockton-on-Tees Health and Wellbeing Board, Health Scrutiny Committee, North Tees Foundation Trust Quality Board, Health and Wellbeing Partnership, Healthwatch England, Clinical Commissioning Groups, etc. to undertake work either in partnership or on our own. We may also receive requests to respond to or be involved in local and national formal consultation exercises.

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

2. Information & Signposting Enquiries

We analyse and evaluate the information received and decide on what actions to take based on the following criteria:

- 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 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 rare and the likelihood of us hearing about it more than once is low.

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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

HWS follow the below process for setting workplan items to focus on for the financial year, ensuring that the HWS Board agree:

- HWS provide the Board with information on priority issues, based on local community intelligence gathered
- HWS analyse local statistical information, e.g., local Public Health records
- HWS consider other partners work plans, such as HWBB and Scrutiny
- HWS consider elements for continuation from the previous years' work
- HWS 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':

- Will it affect the provision of care or the privacy and dignity of the people using services?
- Does it relate to health and social 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

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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 published on the Healthwatch Stockton-on-Tees website.

We also share key decisions using the following means:

- On social media platforms of 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. Openness and transparency is a key principle for the organisation.

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 team and provide a written response.

If this process does not satisfactorily resolve the appeal, then the person or organisation may request that the issue is raised with the HWS Board Chair, who will raise the issue in the next meeting and provide a formal response to the person making the appeal.

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.

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- 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 Board Chair orally as soon as possible of their assessment, and in writing within five working days.

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 in order 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. Any amendments to this policy and the procedures governing the making of relevant decisions will require a simple majority of board members voting in favour.

The amended policy document will be published on the Healthwatch Stockton-on-Tees website as soon as is practicable.

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Procedures

Reference to 'Board' throughout this document incorporates Advisory Boards where the Local Healthwatch is hosted and Governing Boards where the Local Healthwatch is standalone.

HWS undertakes to carry out the following procedures:

1. Publish HWS's most up to date policy document on the Healthwatch Stockton-on-Tees 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 Healthwatch Stockton-on-Tees 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.