

Governance Framework between Pioneering Care Partnership and local Healthwatch teams

Contracts to deliver the following local Healthwatch have been commissioned by their respective Local Authority Commissioning Teams, and are held by Pioneering Care Partnership (PCP):

- Healthwatch County Durham
- Healthwatch Middlesbrough
- Healthwatch Redcar & Cleveland
- Healthwatch Stockton-on-Tees
- Healthwatch Sunderland

This document outlines the governance framework between each local Healthwatch (LHW) and PCP; it is for guidance and does not represent a legal contract.

For ease of reference, the acronym 'LHW' within this document will refer to all five teams listed above. The term 'Board' within this document always refers to the LHW Board.

As contract holder, PCP has corporate legal responsibility for the delivery of each local Healthwatch contract and for the achievement of the Key Performance Indicators agreed with the local authority issuing the contract.

To support PCP in delivery of the Healthwatch contract, each LHW has a Board consisting of volunteers and lay people, which has delegated authority for decision making, and the setting and delivery of the Healthwatch workplans within their local authority areas. The LHW board members do not have Trustee status.

The purpose of this document is to explain how each of the LHW Boards will operate with the contract holder, PCP, and provide assurance that each LHW meets its obligations to operate as an independent consumer champion for publicly funded Health and Social Care on behalf of the population it serves.

Strategy

PCP will sign the Trademark Licence with Healthwatch England, which outlines conditions to use the Healthwatch name and logo.

PCP delegates decision making authority to the Board of each LHW in accordance with their Decision-Making Policy. This empowers each LHW to set the strategic direction for their own local work plans.

Each LHW is responsible for undertaking the following:

- Production of an Annual Report, based on activity from April to March each year, in accordance with statutory guidance provided by Healthwatch England. The Report will be provided to PCP Leadership Team by 31st May

for review and sign off in accordance with PCP's contractual responsibilities. LHW will ensure publication of the final Report in line with Healthwatch England guidance which is currently by 30th June.

- Publishing and complying with a Decision-Making Policy which meets the guidance provided by Healthwatch England.
- Holding board meetings in public concerning their activities and updating progress with their workplan. The minutes of such meetings must be made publicly available.
- Sharing intelligence and insight with Healthwatch England in accordance with statutory guidance.
- Undertaking a self-assessment of the Quality Framework in line with guidance provided by Healthwatch England, including periodic reviews. Where areas involve PCP responsibilities, the Project Development Manager will be involved in the self-assessment.
- The Project Lead will be responsible for undertaking contract reviews with their local commissioning team on a frequency informed by each local authority. The Project Lead will be supported by the LHW Chair and PCP's Project Development Manager on an individually agreed basis. The Project Lead will arrange the attendance of any other parties, e.g., PCP's Finance Manager as required.
- Public and media statements will be given by designated trained personnel only. Statements will be evidence based, factual and aligned to workplan objectives. Subject to timings and circumstances allowing, statements will be shared with the PCP Leadership Team prior to release. The Leadership Team seek to support the delivery of the statements, and each LHW retains their independent status in terms of content. All press releases will be issued in line with PCP's policy.

Code of conduct

The Seven Principles of Public Life, also known as the Nolan Principles, will apply to all those working and volunteering for LHW. To reflect this ethos, each LHW will have their own Code of Conduct policy in line with the guidance provided by Healthwatch England.

As part of the induction programme, volunteers will sign a Volunteering Agreement and Board Members will sign a Board Member Agreement. The respective agreements outline what volunteers can expect from LHW and what LHW hope for from volunteers.

Data protection

As the host organisation, PCP will provide the Data Protection Officer (DPO) role for each LHW. The DPO will support each LHW in accordance with current guidance provided by the Information Commissioner's Office (ICO), including:

- Monitoring compliance with the UK GDPR and other data protection laws, data protection policies, awareness-raising, training, and audits.

- Providing advice and information on data protection obligations, taking into account Healthwatch England guidance.
- Monitoring of the Data Protection Impact Assessment process.
- Contact point for the ICO.

Each LHW will raise any issues and concerns with the DPO.

Financial data

PCP is the legal entity for each LHW and the LHW must not enter into any contract without the agreement and involvement of PCP. LHW are not legal entities in their own right and have no authority to enter into contracts of any nature.

As contract holder, PCP has budget accountability. Each LHW Project Lead has responsibility for managing their own budgets and will share financial data with their Chair as agreed locally. Each Project Lead will have reviews where required on an individual basis with PCP's Finance Team to ensure monitoring of expenditure to projected budget.

PCP's Finance Team will produce reports as required by each Local Authority Commissioning Team to support the contract review process.

Project Leads will provide each LHW Board with sufficient financial information throughout the year, to enable board understanding of what funding is available to them within the contract, to spend on activities relating to their annual work plan.

PCP's Finance Team will process all invoices on behalf of each LHW. LHW will follow the procurement process as outlined within PCP policies.

PCP has organisational responsibility to ensure audited accounts are filed in accordance with Charity Commission guidelines.

Health and Safety

Each LHW will follow the policies and procedures provided by PCP relating to Health and Safety. PCP will provide training to LHW staff to promote awareness of individual and team responsibilities.

Each LHW will undertake Venue Checklists and Risk Assessments for their activities in line with PCP policy and procedure. Risk activity by each LHW will be agile and take into account the need to reflect current circumstances at the time of their creation, for example, the need to undertake specific COVID-19 related risk assessments and venue checklists, as guided by PCP.

PCP will maintain an organisational Risk Register, the contents of which will be shared with LHW Boards where there is an identified risk which impacts the activity of the LHW, or upon request. Boards will support PCP in the management of such identified risks on an individual basis.

PCP will maintain a Business Continuity Plan (BCP) for the entire organisation. Each LHW Project Lead is responsible for developing their own local plan, based on the PCP template, to reflect local needs and ensure any information relating to their business area is kept up to date. Project Leads will have a copy of the BCP as it relates to their area,

Human resources

Each LHW will follow the policies and procedures provided by PCP for the management of staff. All payroll activity will be undertaken by PCP, and members of staff in each LHW will provide the necessary information to enable this activity.

Staff appraisals and supervisions will be undertaken or delegated by the Project Lead in accordance with PCP procedures. The line management of each Project Lead will be undertaken by the Project Development Manager. Training and development will be overseen within PCP's supervision and appraisal process, and any development opportunities offered by Healthwatch England will be included within that framework.

The position of Chair will be appointed by a competitive recruitment process. The recruitment panel will consist of the respective Project Lead and either the CEO or a Trustee from PCP. In the event of any action required to remove the Chair, an investigation would be led by the CEO of PCP, with reference to the respective LHW Board as appropriate, in accordance with PCP's Volunteer Problem Solving Procedure.

The PCP Project Development Manager will undertake reviews with each Chair on a mutually agreed frequency, but no further apart than annually. On the same basis, the Project Lead (and Chair where agreed) will undertake reviews with each of their remaining Board members.

Each LHW has their own Board Recruitment Handbook detailing guidance for recruitment of Board members including the Chair. Any changes to these documents, which should be reviewed on a maximum three yearly basis, must be agreed with PCP's Project Development Manager. Any vacancy occurring in the board will either be advertised, or follow the 'co-opt' process, in accordance with the Handbook guidance. Informal interviews will be held by the Chair and Project Lead, and the final decision to appoint, or co-opt, taken by the affirmative vote of the majority of the board.

Volunteer reviews will be undertaken by a team member designated by each Project Lead. All volunteer positions including Board members are subject to PCP's Volunteer Problem Solving Procedure should there be any action required to remove volunteers from their post.

Team effectiveness will be assessed by PCP's Impact Planning process and feedback from the Commissioner reviews.

Operational governance

Each LHW will maintain their own Terms of Reference for the operational running of their board which will cover the bullet points below, and should be reviewed, with no longer than three years between reviews. Areas which must be covered within the Terms of Reference are highlighted in bold. The remaining comments are guidance as ultimately the operational governance in each LHW sits within the Board:

- **Who can be a Board member:** Board Members should live or work in the Local Authority Area covered by each LHW. Board members shall be sought who reflect the diversity of each LHW community and the skills required to deliver its work plan.
- **Specialist advisors:** Boards can bring in specialist advisors on a temporary basis to complement their skills and knowledge for specific workplan items. Such specialists will not have voting rights and be for a set period of time.
- **How many:** A minimum of 3 Board members, maximum 10, with the minimum 3 being quorate subject to the Chair or Vice Chair being present.
- **How long:** Board members, including the Chair and Vice Chair positions, shall serve a term of three years from the date of joining the board. No board member shall serve more than two consecutive three-year terms, Board members shall serve staggered terms to balance continuity with new perspective. Progression to a second term as a Board member will be agreed by the affirmative vote of the majority of the board.
- **Attendance:** Should any Board member miss more than 2 consecutive meetings, their membership will be reviewed by the Chair (should this relate to the Chair, the CEO of PCP will undertake the review). Board members must submit their apologies if they are unable to attend a Board meeting.
- **Number of board meetings:** The number of Board meetings shall not be fewer than 6 per year, with at least one development session per year in addition to the agreed schedule of board meetings.
- **Where:** Meetings will be held in accessible venues within the local authority area served by each LHW. Where face to face meetings are not possible, virtual meetings will be held via the relevant video technology such as Zoom.
- **Agenda:** The agenda and supporting papers will be sent to each Board member at least 5 days in advance of the meeting via email. Paper copies will be supplied upon request.
- **Meetings in public:** Board meetings must be open to the public. Where there are confidential matters on the agenda, part of the board meeting may be closed to the public to protect that confidentiality. The notice and time of the board meetings will be published at least three days in advance on the LHW website and at the venue where appropriate. A copy of the agenda and supporting papers can be provided to attendees where

confidentiality allows. Each LHW will have a process outlining the protocols such as how questions can be asked, at meetings held in public.

- **Decision making:** Decisions made must be in accordance with the statutory guidance provided by Healthwatch England and noted in the board minutes which must be published on each LHW website.
- **Vice Chair:** The position of Vice Chair will be sought from existing Board members with an agreed internal Board process for appointment.
- **Voting:** Where it is necessary for votes to be cast, then any decision will be based upon a majority vote. In the event of a tied vote the Chair will have the casting vote.
- **Conflicts of interest:** A register of interests of all board members is maintained and publicly available on the Healthwatch website. Declaration of interests will be made at the start of every board meeting.
- **Resignation:** A board member may resign at any time by filing a written resignation with the Chair.

Policies and procedures

To reflect the independent nature of Healthwatch, each LHW Board will create their own set of governing documents in line with Healthwatch England guidance for the following:

- Code of conduct
- Complaints
- Conflict of interest
- Decision-making
- Volunteering

Policies and procedures for each of the above will be adapted to ensure the contractual responsibilities of PCP are also met. For example, the LHW complaints process will ensure PCP have an understanding of the nature and volume of LHW complaints, how they are managed, and changes to process or services as a result of the complaint.

LHW will follow PCP policies for all other areas unless mutual agreement is reached and agreed with PCP.

Volunteers

Healthwatch England have provided a suite of resources to support the volunteering function within local Healthwatch. PCP will support compatibility between the volunteering pack (including Agreement, Expenses Policy, Guide, Handbook, Policy, Role Descriptions), provided by Healthwatch England, and PCP's volunteering policy and procedures.

LHW will follow PCP's policies and procedures for the management of volunteers (Board members are included within the volunteer category) which encompass recruitment through to leaving the organisation, including all stops in between such as induction, training, behaviour management and recognition.

In accordance with the Trademark Licence, all volunteering documentation will be appropriately branded to reflect the status of each LHW, to ensure clarity around the independent nature of Healthwatch as an organisation. Declarations of interest will be completed by volunteers where appropriate.

Notwithstanding the branding of Healthwatch, volunteers will be made aware in recruitment packs and through their induction, of the hosting relationship between LHW and PCP. Areas discussed will include but are not limited to an understanding of how their data is held and stored, why they need to claim their expenses from PCP, how they are covered by PCP's Employers Liability Insurance, and the benefits of being supported by an organisation who have achieved the 'Queen's Award for Voluntary Service'.

Approved by Healthwatch Stockton-on-Tees Board	
Date	20th August 2021
Review date	June 2024
Approved by Chief Executive Officer, PCP	
Date	18 th May 2021
Review date	June 2024