



Healthwatch South Tees Board Decision Making Policy

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Healthwatch South Tees (HWST) Board - Decision Making Policy

Policy Statement

Healthwatch South Tees (HWST) is the operating name for Healthwatch Middlesbrough and Healthwatch Redcar and Cleveland. HWST makes its decisions in an open and transparent way and ensures the interests of the people of Middlesbrough, and Redcar and Cleveland 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 HWST Board governance which include HWST:

- 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 HWST.

Relevant decisions

Regulation 40 requires HWST 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.
- 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 HWST Board will be responsible for making relevant decisions. The Board will have the power to delegate some of the relevant decision making to the HWST 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 HWST Lead, will be recorded in the minutes of the Board meeting at which the decision was made. The minutes of all Board meetings are published on Healthwatch Middlesbrough and Healthwatch Redcar and Cleveland's 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 HWST 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.

HWST 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 HWST staff and provides strategic leadership and accountability on all contractual, legal and financial duties of HWST. The HWST 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.

Involving lay persons or volunteers in such decisions

The HWST 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 HWST). HWST 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 HWST is vast - it has a responsibility for health and social care services for all adults, children and young people in South 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 HWST and other public engagement events
- Issues raised through the HWST 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, HWST 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 HWST 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.
- How much change HWST 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 HWST - so we aren't focusing on things that others can do more easily and effectively.
- Finally, the HWST 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 Healthwatch Middlesbrough and Healthwatch Redcar and Cleveland's websites.

Decision-making procedures

1. External Workplan Requests

HWST receive information from the sources detailed above, as well as requests from external organisations, including the South Tees Health and Wellbeing Executive, Live Well Board, Health Scrutiny Committee, 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.

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

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

- HWST produce a list of priority issues, based on the local community intelligence we have collected
- HWST analyse local statistical information, e.g. local Public Health records
- HWST consider Live Well Board priorities
- HWST consider elements for continuation from the previous years' work
- HWST present information to the HWST Partnership 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?

Communicating decisions

HWST have a statutory requirement to publish any 'relevant decisions'. HWST Partnership Board minutes, clearly setting out any decisions taken and the reasons for these, will be published on both Healthwatch Middlesbrough and Healthwatch Redcar and Cleveland websites.

We also share key decisions using the following means:

- On social media platforms of Twitter and Facebook
- In our monthly e-bulletins
- Relevant meetings attended
- Direct email to relevant VCS or other stakeholders
- Other mail groups by VCS and service user groups as required

Service users and members of the public are welcome to write to the HWST Partnership Board Chair or the Development and Delivery Manager 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 HWST Development and Delivery Manager 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 HWST Partnership 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 HWST and Middlesbrough, and Redcar and Cleveland Local Authorities
- An extraordinary or urgent event necessitates the HWST 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 HWST Development and Delivery Manager will review whether or not a breach has occurred and will notify the HWST Partnership 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 HWST Partnership 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 HWST 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

HWST 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.

HWST 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 HWST 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 Middlesbrough and Healthwatch Redcar and Cleveland websites as soon as is practicable.

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.

HWST undertakes to carry out the following procedures:

1. Publish HWST's most up to date policy document on Healthwatch Middlesbrough and Healthwatch Redcar and Cleveland's website.
2. Ensure all HWST 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. Publish minutes from Board meetings where decisions are made in a timely manner on Healthwatch Middlesbrough and Healthwatch Redcar and Cleveland websites. Where decisions are made outside of board meetings, they will be ratified at the subsequent Board meeting.
4. Review and obtain Board approval to HWST's decision making policy on an annual basis.