

# Healthwatch Cambridgeshire and Peterborough

## Reviewed Policies

### Purpose

1. This report seeks Board approval for the following revised Healthwatch Cambridgeshire and Peterborough policies:
  - Whistleblowing
  - Complaints
  - Enter and View

### Key issues

2. The Whistleblowing Policy and Procedure has been amended to strengthen the process and protection for any whistleblower.
3. More detail regarding appeals and a paragraph regarding confidentiality has been added to the Complaints Policy and other minor wording changes for clarity.
4. The Enter and View Policy has been updated with contact details for both Healthwatch, a sentence added to indicate that we request action plans from providers and other minor wording changes for clarity.

### Action required by the Board

5. The Board is asked to:
  - Approve the three Healthwatch Cambridgeshire and Peterborough Policies.

### Author

Sandie Smith, CEO

17<sup>th</sup> January 2018

# Healthwatch Cambridgeshire and Peterborough Whistleblowing policy and procedure

## 1. Purpose of this document

This policy sets out Healthwatch Cambridgeshire and Peterborough's commitment to work effectively together to create a culture which is open and transparent. A culture in which individuals are supported to report concerns and safety issues, and are treated fairly, with empathy and consideration, when they have been involved in an incident or have raised a concern. Wherever possible the identity of the whistleblower will be protected.

This document sets out the procedure that staff, volunteers and board members of Healthwatch Cambridgeshire and Peterborough can use to raise a concern about dangerous, illegal or improper activity (whistleblowing). Members of staff, volunteers and Directors will not be disadvantaged in any way as a result of whistleblowing.

The Escalation Policy sets out the procedure to follow when Healthwatch Cambridgeshire and Peterborough is contacted by a potential whistleblower regarding service provision.

## 2. Who to contact

Step 1 Wherever possible, concerns should be raised with your immediate line manager. If you do not feel comfortable doing so, then with Chief Executive Officer (CEO), or if this is the same person, the Healthwatch Cambridgeshire and Peterborough Chair. Failing that, concerns can be raised with another member of the Healthwatch Cambridgeshire and Peterborough Board.

Step 2 The CEO will appoint an Investigating Officer and oversee the operation. The Healthwatch Cambridgeshire and Peterborough Chair will oversee any issues involving the CEO.

## 3. Investigating the concern

Step 3 Within five working days of raising your concern the Investigating Officer will contact you to:

- Confirm that they are handling the matter
- Provide their contact details
- Confirm whether any further details will be required
- Provide you with a written summary of the concern
- Indicate how the investigation will be handled and an initial estimation of the timescale.

Step 4 You will be:

- Kept informed of the timetable for the investigation
- Supplied with information on support available to you
- Informed whether further investigations will take place and if not, why not.

All relevant parties involved in the disclosure of wrongdoing will be notified of the outcome of the investigation in writing.

**4. Further concerns**

If you consider that the cause for concern has not been resolved by the investigation then you should inform the Chair of the Board who will then appoint a Member of the Board to review the concern and the outcome of the investigation and consider whether further steps need to be taken to prevent further dangerous, illegal or improper activity.

**5. Safeguarding concerns**

Where the concern relates to safeguarding the appropriate Healthwatch Cambridgeshire and Peterborough Safeguarding Policy will also be invoked.

**Approved by Healthwatch Cambridgeshire and Peterborough Board of Directors**

Date: 17 January 2018

**Next Review**

Date: January 2019

**Responsible Officer**

Chief Executive Officer of Healthwatch Cambridgeshire and Peterborough

# Healthwatch Cambridgeshire and Peterborough Complaints Policy

## **Purpose of this document**

Individuals and organisations have the right to express their views about the performance of Healthwatch Cambridgeshire and Peterborough and the way in which it conducts its business. Healthwatch Cambridgeshire and Peterborough welcomes feedback and encourages informal resolution.

Anyone who is dissatisfied with any aspect of the service received by Healthwatch Cambridgeshire and Peterborough can make a complaint under Healthwatch Cambridgeshire and Peterborough complaints policy.

We will treat both concerns and complaints in the same way.

This Policy does not cover:

- 1) Complaints or concerns about the NHS, which should be dealt with through the NHS complaints procedure.
- 2) Complaints about the provision of social care services which should be dealt with by either Peterborough City Council or Cambridgeshire County Council complaints procedure.

## **Confidentiality**

All information regarding the concern/complaint will be kept secure and confidential according to the standards set out in the Healthwatch Cambridgeshire and Peterborough Confidentiality Policy.

## **How to raise a concern or make a complaint about Healthwatch Cambridgeshire and Peterborough**

- 1) In the first instance we would encourage you to raise a concern, or complaint, or to provide feedback on our service informally to the appropriate member of staff. Providing information or correcting misunderstandings or misconceptions at this early stage may enable the issue to be successfully resolved.
- 2) If the concern or complaint is not resolved to your satisfaction, then you should notify us via email, letter or via a telephone conversation with a member of staff or a volunteer, indicating that you wish to raise a formal concern or make a formal complaint.

- 3) Healthwatch Cambridgeshire and Peterborough will acknowledge the concern/complaint in writing by letter or email (or in the complainants preferred method of communication) within 3 working days.
- 4) The appropriate manager will attempt to resolve the concern/complaint. This will be completed within 28 days of receipt of the formal concern/complaint. Exceptionally, if further time is needed, where possible this will be agreed with you.
- 5) You will be notified in writing by letter or email of any conclusions or steps to be taken by Healthwatch Cambridgeshire and Peterborough to resolve the concern/complaint.
- 6) The Chief Executive Officer of Healthwatch Cambridgeshire and Peterborough will review all concerns/complaints. If you are not happy with the outcome you will be able to appeal.

### **Appeals**

If you wish to appeal the outcome of any concern/complaint a request for an appeal must be made in writing by letter or email to the Healthwatch Cambridgeshire and Peterborough Chair within ten working days of written notification of the outcome.

The Chair will convene a panel of at least two Directors who have not previously been involved in the matter, who will review the concern/complaint and respond to you in writing within 15 working days.

The decision of the panel will be final.

### **Complaints against a board member (remunerated or not) of Healthwatch Cambridgeshire and Peterborough**

#### **When the complaint is about the Chair of Healthwatch Cambridgeshire and Peterborough**

A complaint should be raised with the Chief Executive of Healthwatch Cambridgeshire and Peterborough who will undertake an initial investigation and seek to resolve the concern in an informal fashion. If this is not possible or if the complainant is not satisfied, the Chief Executive will convene a panel involving a Director and a Guarantor. The decision of the panel will be final.

**When the complaint is about a Healthwatch Cambridgeshire and Peterborough Director**

The complaint should be raised with the Chair who with the Chief Executive, will undertake an initial investigation and seek to resolve the concern in an informal fashion. If this is not possible or if the complainant is not satisfied, the Chair will convene a panel involving one of the guarantors. The decision of the panel will be final.

**Approved by Healthwatch Cambridgeshire and Peterborough Board of Directors**

Date: 17 January 2018

**Next Review**

Date: January 2019

**Responsible Officer**

Chief Executive Officer of Healthwatch Cambridgeshire and Peterborough

# Healthwatch Cambridgeshire and Peterborough Enter and View Policy

## 1. What is Enter & View?

‘Enter and View’ is a statutory Healthwatch power and an opportunity for Authorised Representatives of Healthwatch Cambridgeshire and Peterborough, including all specifically trained Staff/Employees:

- To go into health and social care premises to see and hear for themselves how services are provided
- To collect the views of service users (patients and residents) at the point of service delivery
- To collect the views of carers, family members and friends of service users
- To observe the nature and quality of services - observation involving all the senses
- To collate evidence-based non-clinical findings
- To request written actions from the provider in response to our recommendations for inclusion in the final report
- To publish a report of any findings and recommendations, including observed good practice where noted, as well as points for improvement. This will be shared with the relevant providers, the Care Quality Commission, the relevant Local Authority or NHS commissioner and quality assurers, Healthwatch England and any other relevant partners. A copy will also be published on the Healthwatch Cambridgeshire and Healthwatch Peterborough websites and printed copies will be available from the office on request
- To develop insights and recommendations across multiple sites or services to inform strategic decision making at local and national levels.

## 2. Where does Enter & View Apply?

Legislation allows ‘Enter and View’ activity to be undertaken with regard to the following organisations or persons:

- NHS Trusts
- NHS Foundation Trusts
- Local Authorities
- a person providing primary medical services (e.g. GPs)
- a person providing primary dental services (i.e. dentists)
- a person providing primary ophthalmic services (i.e. opticians)
- a person providing pharmaceutical services (e.g. community pharmacists)

- 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 (e.g. adult social care homes and day-care centres).

### 3. Exclusions - Where 'Enter and View' does not apply

The duty to allow entry does not apply in the following circumstances:

- 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 (this does not mean that an authorised representative cannot enter when invited by residents - it just means that there is no duty to allow them to enter)
- where the premises or parts of premises are used solely as accommodation for employees
- non-communal parts of the premises
- where health and social care services are not provided at the premises (such as offices) or where they are not being provided at the time of the visit (for example when facilities and premises are closed)
- if, in the opinion of the provider of the service being visited, the Authorised Representative, is not acting reasonably and proportionately in seeking to 'Enter and View' its premises
- if the Authorised Representative does not provide evidence that he or she is authorised.

The duty does not apply to the observing of any activities which relate to the provision of social care services to children.

### 4. Who can carry out Enter & View?

Only **Authorised Representatives** of Healthwatch Cambridgeshire and Peterborough will undertake 'Enter and View' for the purpose of carrying out Healthwatch Cambridgeshire and Peterborough activities. Enter and View visits to be undertaken by a minimum of two Authorised Representatives.

Healthwatch Cambridgeshire and Peterborough will recruit volunteers as Enter and View Authorised Representatives (in-line with the Healthwatch Cambridgeshire and Peterborough Volunteer Involvement Policy). The specific role description sets out the qualities and abilities required for the Authorised Representatives, including a criminal record check by the Disclosure and Barring Service.

Healthwatch Cambridgeshire and Peterborough will make publicly on their websites a comprehensive and up to date list of all Authorised Representatives.

[www.healthwatchcambridgeshire.co.uk](http://www.healthwatchcambridgeshire.co.uk)

[www.healthwatchpeterborough.co.uk](http://www.healthwatchpeterborough.co.uk)

Authorised Representatives may occasionally take part in visits to health and care services and premises led, for example, by the Clinical Commissioning Group or the Care Quality Commission. To ensure clarity of responsibilities, roles and expectations, a template Memorandum of Understanding for these partnership visits is attached at Appendix 1.

## **5. The Purpose of Enter & View**

This part describes the arrangements for members of Healthwatch Cambridgeshire and Peterborough's Enter and View Team to enter and view premises providing health and social care services within the County of Cambridgeshire for the purpose of observing services and service delivery.

In conjunction with the purpose of the visit and its aims the team will:

- observe and assess the nature and quality of services
- obtain the views of people using those services
- validate evidence already collected
- gather information from staff, services users, family, friends and carers
- liaise with statutory organisations for example Care Quality Commission to ensure non-duplication of visits within the same time period

## **6. Announced visits as part of the Healthwatch Cambridgeshire and Peterborough Work Plan**

Prior to a visit, Healthwatch Cambridgeshire and Peterborough will write to the provider of the service with the following information:

1. Introduction and information about Healthwatch Cambridgeshire and Peterborough followed by communications to arrange a date and time for the visit, along with an approximate duration
2. The purpose of the visit
3. The overall structure of the visit:
  - a) Identifying staff and service users that the authorised representatives would like to meet
  - b) The number and nature of any discussions along with the identification of any special communication or access needs
  - c) The activities that the authorised representatives wish to observe
  - d) Whether the authorised representatives will be distributing leaflets or other information about Healthwatch Cambridgeshire and Peterborough

- e) Whether or not it would be beneficial for staff or service users to accompany the authorised representatives throughout the visit and any support staff
- f) The names of the Authorised Representatives conducting the visit
- g) The identification that Healthwatch Cambridgeshire and Peterborough Authorised Representatives will provide
- h) Re-assurance that the draft findings will be shared with the provider of the service prior to being finalised and distributed more widely
- i) Where appropriate, draft findings will also be shared with relevant parties whose information may have prompted the visit

An Enter and View Factsheet will be sent to all providers (Appendix 2)

## **7. Unannounced visits**

Unannounced visits should not take place if any other approach could produce the information Healthwatch Cambridgeshire and Peterborough is seeking. Unannounced visits must be in response to a concern highlighted by the 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 Cambridgeshire and Peterborough, along with the reason for not addressing the situation in another way.

Where Healthwatch Cambridgeshire and Peterborough decides it is necessary to conduct an unannounced visit, they agree to provide the information above upon arrival.

**Approved by Healthwatch Cambridgeshire and Peterborough Board of Directors**

Date: 17 January 2018

**For Review**

Date: January 2019

**Responsible Officer**

Chief Executive Officer of Healthwatch Cambridgeshire and Peterborough



## Memorandum of Understanding Enter & View Visit

Enter & View visit of:

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Scheduled/approximate date:

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### 1. Organisations involved

Healthwatch Cambridgeshire and Peterborough

Named lead contact:

Contact details:

Cambridgeshire and Peterborough Clinical Commissioning Group

Named lead contact:

Contact details:

## 2. Purpose

This Memorandum of Understanding provides a framework through which Healthwatch Cambridgeshire and Peterborough staff, volunteers and Non-Executive Directors can jointly or solely undertake Enter & View visits to health or social care services or be part of a larger visit team organised by a Commissioner or Regulator.

This Memorandum further ensures a common understanding and clear responsibilities regarding visits.

The role of Healthwatch Cambridgeshire and Peterborough's Authorised Representatives is to give feedback from patient, carer and public perspective. This can be either as part of a wider team or a focussed Healthwatch Enter and View visit.

## 3. Responsibilities

**Healthwatch Cambridgeshire and Peterborough will:**

- Provide trained and DBS-checked Authorised Representatives to be part of CCG visit teams
- Take part in unannounced visits if adequate notice is given and Authorised Representatives are available
- Undertake all work in line with Healthwatch Cambridgeshire and Peterborough's Enter and View Policy
- Reimburse Authorised Representatives' expenses
- Comment on draft reports within 20 days.

**Cambridgeshire and Peterborough CCG will:**

- Act as the Lead Organisation for CCG visits
- Provide a list of scheduled visits with at least two weeks' confirmation of dates and associated meetings
- Provide contact details for a lead person for each visit
- Provide a specific brief for each visit
- Produce reports, forwarding draft reports to Healthwatch Cambridgeshire and Peterborough for comment.

## 4. Review

This Memorandum of Understanding will be reviewed after one year. There will be an informal review after six months to identify learning and any improvements required.

5. Signed

Healthwatch Cambridgeshire and Peterborough

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Job Title	Date
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Cambridgeshire & Peterborough CCG

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Job Title	Date
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## ENTER AND VIEW - FACTSHEET FOR PROVIDERS

Healthwatch Cambridgeshire and Peterborough has a responsibility to engage local people in monitoring health and social care facilities and Enter and View is Healthwatch's power to look at specific providers of these services in order to assess service quality and, where appropriate, to recommend improvements.

Healthwatch will only look at facilities in receipt of public funds and has no right of entry to premises that cater for the needs of people under the age of 18. Unannounced visits will not take place unless a locally expressed concern - such as dirty premises, high infection rates or inordinate clinic waiting times - cannot otherwise be checked.

### Where does Enter and View apply?

- NHS Trusts
- NHS Foundation Trusts
- Local Authorities
- Primary medical, dental, ophthalmic and pharmacy services (e.g. GPs, dentists, opticians, pharmacists)
- Bodies or institutions under contract with the NHS or a Local Authority to provide health or care services (e.g. social care homes and day-centres).

### How does it work in practice?

Authorised representatives of Healthwatch Cambridgeshire and Peterborough will visit premises to assess service provision and to validate any evidence already collected. At the point of service, they will:

- Collect the views of patients, residents or day-care users
- Collect the views of carers, family members and friends of service users
- Observe the nature and quality of services - using all the senses
- Collate findings
- Request written actions from the provider in response to our recommendations for inclusion in the final report
- Publish a report of findings and recommendations, including observed good practice and recommendations for improvement.

### **Who will undertake Enter and View visits?**

Only Authorised Representatives of Healthwatch Cambridgeshire and Peterborough will undertake Enter and View activities and a minimum of two such representatives will conduct each visit.

Authorised Representatives will be recruited as volunteers by Healthwatch Cambridgeshire and Peterborough according to a specific role description and a record check by the Disclosure and Barring Service.

Authorised Representatives will be listed publicly on Healthwatch Cambridgeshire and Peterborough's websites.

### **What Service Providers can expect of an announced Enter and View**

Before the visit, Healthwatch Cambridgeshire and Peterborough will provide written information to the service provider about the visit's purpose and its approximate duration. The visit itself will have a standard structure to ensure:

- Providers know the names of the Authorised Representatives involved
- Staff and service users whom the Authorised Representatives wish to interview are identified
- Providers know the activities the Authorised Representatives wish to observe
- Consideration is given as to whether or not it would be beneficial for staff members or service users to accompany the Authorised Representatives and visits be conducted accordingly
- Notice is given if any leaflets or other information about Healthwatch Cambridgeshire and Peterborough will be distributed during the visit
- Providers are informed that they will receive draft report of findings and recommendations prior to the final drafting and circulation of the final Enter and View report and will have a specified period in which to submit comments
- Providers are invited to submit written actions they will take in response to the draft report for inclusion in the final version
- Providers know that, where appropriate, draft findings will be shared

with relevant parties including any whose information may have led to the visit.

### **Where Enter and View does not apply**

In certain circumstances Enter and View cannot proceed because:

- The proposed visit could compromise the effective provision of a service or the privacy or dignity of any person.
- Publicly funded health or social care services are no longer being provided at the premises concerned (e.g. a facilities have closed).
- If, in the opinion of the provider, the Authorised Representative is not acting reasonably in seeking to Enter and View a facility.
- The Authorised Representative fails to provide evidence of his or her authority.

### **What happens after the Enter and View visit?**

Providers can expect to receive a copy of a draft report and recommendations within fifteen working days of the visit. This will include an invitation to return comments within ten working days, plus a list of any actions in response to the recommendations for inclusion in the final report.

The final report and recommendations will be published within four weeks on Healthwatch Cambridgeshire and Peterborough's websites and will be sent to the service provider concerned, it will also be shared with the Care Home Owner(s), the Care Quality Commission, the relevant Local Authority or NHS commissioner and with Healthwatch England.

Printed copies of the report will be available on request from the Healthwatch Cambridgeshire and Peterborough office.