

Implementing a Decision Making Policy

Why do we need a Decision Making Policy?

Decision making is an important function of each local Healthwatch, and we have a legal requirement to demonstrate independence and transparency in the way we operate and make decisions.

What is our legal requirement?

Decision making within local Healthwatch is based on:

- Regulation 40 of The NHS Bodies and Local Authorities (Partnership Arrangements, Care Trusts, Public Health and Local Healthwatch) Regulations 2012'.
- Freedom of Information Act 2000, which provides for public access to information held by public authorities including local Healthwatch.
- The Nolan Principles

What does this mean for Healthwatch Hertfordshire?

Regulation 40 states that local Healthwatch must establish and publish procedures for its decision making in relation to 'relevant decisions'. The procedures must include:

- Who can make decisions?
- How lay persons or volunteers can be involved in these decisions.
- How to deal with breaches of any procedure, including the circumstance in which a breach would be referred to the local authority.

What is a relevant decision?

Regulation 40 states relevant decisions (some may be strategic and others operational) are:

- How to undertake our activities.
- Which health and care services we are looking at covering 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 overview and scrutiny committee.
- Whether to report a matter concerning our activities to another person.
- Any decisions about sub-contracting.

This decision making policy and procedures are published on our website, and members of the public and organisations we work with are aware of our obligations.

We will review this policy on an annual basis and all staff will be aware of and understand the principles of decision making within the team.

How are decisions made?

We gather information from a number of sources, and use the data to support well informed decision making. The list below is wide-ranging but not exhaustive:

- Engagement work within the community, including volunteer activity.
- Information from Hertfordshire's Joint Strategic Needs Assessment.
- Surveys and questionnaires.
- Service user experience including that of staff and volunteers.
- Publicly available national and local data.
- Focus groups.
- Information from the Voluntary and Community Sector (VCS); including faith groups, community groups, charities, resident groups, patient groups etc.
- Views and experiences of local people.
- Providers of health and social care services.
- Commissioners of health and social care services.

We use data to identify which health and social care issues are of interest to investigate. We will reflect on a range of subjects in their considerations including, but not limited to the amount of evidence available, the impact on individuals and community groups and the impact your Healthwatch may have in influencing change.

How does this fit in with our commitment to Equality, Diversity and Inclusion?

All relevant decisions are explored through an equalities, diversity and inclusion lens to ensure that we make a real impact in highlighting excluded communities experience of health and social care, challenging issues that may disproportionately affect people with protected characteristics and create or perpetuate inequality.

Decision Making Policy

This Decision Making Policy and related procedures apply to all staff, board and volunteers

Policy Statement

Healthwatch Hertfordshire makes its decisions in an open and transparent way and ensures the interests of the people of Hertfordshire 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.

The governing regulations and standards are:

1. Regulation 40 of The NHS Bodies and Local Authorities (Partnership Arrangements, Care Trusts, Public Health and Local Healthwatch) Regulations 2012’.
2. Freedom of Information Act 2000, which provides for public access to information held by public authorities including local Healthwatch.
3. The Nolan Principles

This policy applies to all relevant decisions made by Healthwatch Hertfordshire.

Relevant decisions

Regulation 40 requires Healthwatch Hertfordshire 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 at covering with our activities.
- The amounts we will spend on our activities.
- 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 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 Healthwatch Hertfordshire Board will be responsible for making relevant decisions. The Board will delegate some of the relevant decision making to the Chief Executive of Healthwatch Hertfordshire, for example, activities which concern the day to day running of the business.

All relevant decisions, including those delegated to the Chief Executive, 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 Hertfordshire'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.

Operational decision making using the agreed scheme of delegation will be separately recorded by the company secretary.

The Board of Healthwatch Hertfordshire 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.

As a private company limited by guarantee, decision making within Healthwatch Hertfordshire is also governed by our Articles of Association.

Involving lay persons or volunteers in such decisions

Healthwatch Hertfordshire's board is composed of volunteers (a person who is not a paid employee of the organisation). Healthwatch Hertfordshire intends to secure broad based views on its activities wherever possible, and involves others where appropriate in its decision making.

How are decisions made?

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

- People's experiences of health and social care services that they share with us.
- Evidence we proactively collect about specific areas of concern through the stories and enquiries we hear directly, including social research and public surveys.
- National and local data sets that evidence issues affecting large numbers of the local population and the most excluded.

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

In order to prioritise, Healthwatch Hertfordshire will carefully consider all sources of information and decide where we can add most value. Areas to be taken into account include:

- Ensuring Healthwatch Hertfordshire delivers only within our statutory remit.
- How much change Healthwatch Hertfordshire 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 Healthwatch Hertfordshire - so we aren't focusing on things that others can do more easily and effectively.
- Addresses health inequalities whenever possible

Board meetings are open to the public, and minutes recording decisions will be available via Healthwatch Hertfordshire's website.

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.

If a decision is taken in the name of Healthwatch Hertfordshire without authorisation in the manner set out in this policy document, the Board will determine what action is needed. This may be to either approve the decision retrospectively, or to reverse the decision. The Local Authority will be involved if appropriate.

Actions will be minuted and published on our website.

Equality, Diversity and Inclusion statement

Healthwatch Hertfordshire 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. We 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 Healthwatch Hertfordshire 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 will be managed through the procedures outlines in the Articles of Association.

The amended policy document will be published on the website of Healthwatch Hertfordshire as soon as is practicable.

Reviewed and signed off at the Healthwatch Hertfordshire Board Meeting on:
Tuesday 17th November 2020

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Signed by Nuray Ercan, as Company Secretary

Responsible Officer
Geoff Brown, Chief Executive