

healthwatch

East Riding
of Yorkshire

Governance Framework

August 2015

This document sets out the revised governance arrangements for Healthwatch East Riding of Yorkshire - to be approved by the Independent Strategic Advisory Body at their first meeting, to take place in October 2015.

Contents

1. Overview	3
1.1 What is Healthwatch?	3
1.2 Visions and Values	3
2. Functions and Statutory Duties of Healthwatch	4
2.1 Statutory Functions of Local Healthwatch	4
2.2 Legal Powers of Local Healthwatch	4
2.3 Other Local Healthwatch Regulations	5
3. Governance and Accountability	6
3.1 Contracting and Funding of Healthwatch ERY	6
3.2 Governance Framework	6
3.3 Meetings	7
Appendices:	
1. Independent Strategic Advisory Body (ISAB) Terms of Reference	8
2. Role Description Independent Strategic Advisory Body (ISAB) Chair	10
3. Role Description Independent Strategic Advisory Body (ISAB) Member	13
4. Stakeholder Forum Terms of Reference	15

1. Overview

1.1 What is Healthwatch?

The purpose of Healthwatch is to give patients and the wider public a powerful voice - ensuring that their views and experiences are heard by those who plan and deliver health and social care services, giving people a real say over how their local health and social care services are run. Healthwatch not only has the ability to influence how services are set up, commissioned and delivered, but it is also able to provide advice and information on health and social care services as well as signpost those wishing to make a complaint about their local NHS services.

1.2 Visions and Values

The Vision of Healthwatch East Riding of Yorkshire is to be the independent champion for East Riding residents, enabling them to improve health and social care.

Our Mission is to listen to the communities of the East Riding and use their views to challenge providers and commissioners of care to bring about improved services.

Our Objectives are to:

- Seek out opportunities for service improvement
- Be recognised as the consumer champion
- Listen to the quieter voices
- Be a credible source for data collection
- Be accountable and hold commissioners and providers to account
- Be trusted and respected as a fair and professional organisation

Our Strategy is to:

- Build public awareness
- Obtain the views of the public
- Build relationships with providers and commissioners
- Challenge organisations to improve services

2. Functions of Healthwatch East Riding of Yorkshire

2.1 Statutory Functions of Local Healthwatch

The legislation that has created Healthwatch can be summarised in to eight statutory activities:

1. promoting and supporting the involvement of local people in the commissioning, the provision and scrutiny of local care services;
2. enabling local people to monitor the standard of provision of local care services and whether and how local care services could and ought to be improved;
3. obtaining the views of local people regarding their needs for, and experiences of, local care services and importantly to make these views known;
4. making reports and recommendations about how local care services could or ought to be improved. These should be directed to commissioners and providers of care services, and people responsible for managing or scrutinising local care services and shared with Healthwatch England;
5. providing advice and information about access to local care services so choices can be made about local care services;
6. formulating views on the standard of provision and whether and how the local care services could and ought to be improved; and sharing these views with Healthwatch England;
7. making recommendations to Healthwatch England to advise the Care Quality Commission to conduct special reviews or investigations (or, where the circumstances justify doing so, making such recommendations direct to the CQC); and to make recommendations to Healthwatch England to publish reports about particular issues;
8. providing Healthwatch England with the intelligence and insight it needs to enable it to perform effectively.

2.2 Legal Powers of Local Healthwatch

Having been developed under the Health and Social Care Act 2012, Healthwatch East Riding of Yorkshire, along with each of the other local Healthwatch organisations has been granted a number of legal powers:

- To gather people's views on, and experiences of, the health and social care system.
- To send trained representatives to 'Enter and View' local services to speak to patients and service users, and observe services being delivered.
- To make reports and recommendations and to get a response from commissioners and service providers.

- To have influence on local commissioning decisions through membership of the statutory Health and Wellbeing Board and involvement in preparing joint health and wellbeing strategies.
- To alert Healthwatch England, or the CQC, where appropriate, to concerns about specific care providers, health or social care matters.

2.3 Other Local Healthwatch Regulations

Additional to the statutory activities, there a number of other requirements of a Local Healthwatch organisation:

- To be an independent organisation in the form of a social enterprise.
- To produce an Annual Report as per the guidance set by the Department of Health.
- To apply for and hold a license to use the Healthwatch trademark.
- Be applicable under the Freedom of Information Act.
- To hold meetings in public.
- To have a decision making procedure as per the local Healthwatch regulations.
- For DBS checks for people undertaking Enter and View to be considered by the local Healthwatch, which should be subsequently satisfied that the individual is a suitable person for the purposes of Enter and View.
- To publish and maintain a list of authorised representatives.
- To not be set up as a political body or make political activities its main activity.
- To have provision for the involvement of lay persons and volunteers in governance and activities.

3. Governance and Accountability

3.1 Contracting and Funding of Healthwatch ERY

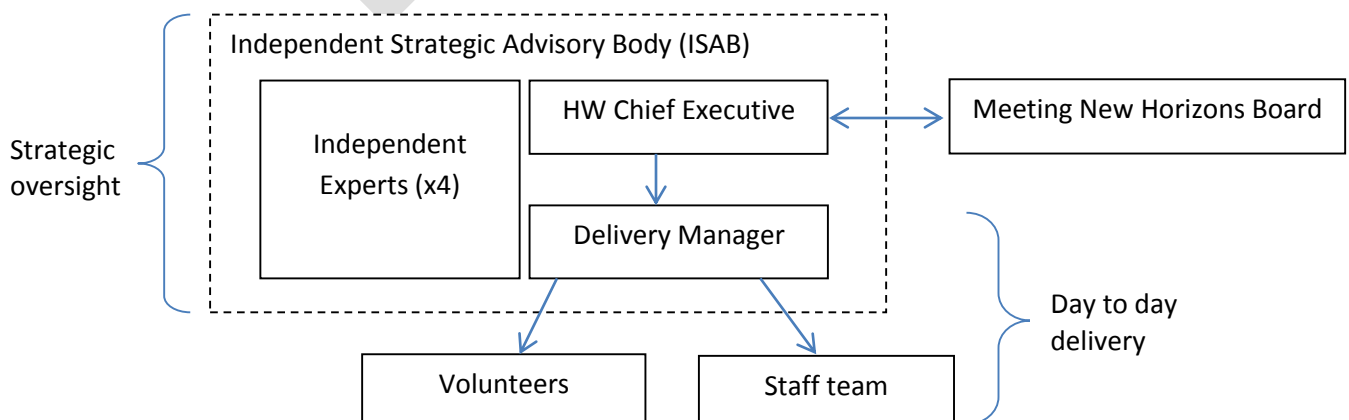
The Health and Social Care Act 2012 introduced Healthwatch from 1st April 2013. Each of the 152 upper tier local authority areas in England has its own local Healthwatch organisation. Funding for local Healthwatch was devolved from the Department of Health to each local authority who were then responsible for commissioning a provider to develop an independent Healthwatch organisation in their area. Following a competitive tendering process, East Riding of Yorkshire Council appointed Meeting New Horizons CIC to develop Healthwatch in the East Riding and agreed an initial funding allocation for the period of 1st April 2013 to 31st March 2015, with the possibility of a further two 12-month extensions subject to satisfactory performance and future government funding allocations. Meeting New Horizons CIC is responsible for ensuring that Healthwatch is meeting its statutory and contractual requirements during the contract period.

3.2 Governance Framework

Healthwatch East Riding of Yorkshire was initially constituted as a Community Interest Company, but with Meeting New Horizons as the sole shareholder and retaining responsibility for delivering on the Healthwatch contract. After 2 years of successful implementation and delivery, Healthwatch East Riding of Yorkshire moved into a new operating phase that required a change in its governance framework, which moved away from the traditional Board of Directors structure.

Instead an Independent Strategic Advisory Body (ISAB) was set up to strengthen strategic oversight and scrutiny of delivery plans and ensure the overall strategy of Healthwatch East Riding meets the needs of the residents of East Riding. The Independent Strategic Advisory Body includes four independent experts. They will be the independent voice and champion of the people, patients and volunteers.

The following diagram depicts the decision-making structure of Healthwatch East Riding of Yorkshire.



The Independent Strategic Advisory Body (ISAB) is comprised of four independent experts, the Healthwatch Chief Executive and Healthwatch Delivery Manager. The four independent experts will be selected via an open application process for their knowledge and expertise in one or more of the following: patient and public engagement; marketing and communications; health and social care; volunteer management and strategic leadership.

The Chief Executive of Healthwatch ERY will be appointed by Meeting New Horizons and is accountable to the Board of Meeting New Horizons CIC.

The Independent Strategic Advisory Body (ISAB), having regard to the needs and views of the residents of East Riding, will set the strategic goals of Healthwatch ERY. They also have the role to check delivery against these goals at key stages. The Body provides the overview, scrutiny and challenge to the plans and actions of the delivery team.

The day to day delivery of Healthwatch will be carried out by a staff team, who will be supported by volunteers and is the responsibility of the Healthwatch delivery manager. Volunteers play a vital role in the delivery of Healthwatch and will be fully involved in the day to day activities of the organisation. The work of Healthwatch volunteers will be managed and overseen by the Healthwatch delivery manager.

As holder of the contract from East Riding of Yorkshire Council for the development and delivery of Healthwatch East Riding, Meeting New Horizons will remain responsible for ensuring that Healthwatch is meeting its statutory and contractual requirements during the contract period.

3.3 Meetings

The Independent Strategic Advisory Body (ISAB) will meet four times a year and the meetings will be open to the public. The role of these meetings will be to set the strategic workplan for Healthwatch East Riding and to check the delivery against that workplan at key stages. The ISAB provides the overview, scrutiny and challenge to the plans and actions of the delivery team. Dates and venues of meetings will be published in advance on our website.

In addition, Healthwatch East Riding of Yorkshire will hold a stakeholder forum three to four times a year. These meetings will bring together key stakeholders, voluntary and community sector partners, Healthwatch volunteers and members of the staff team to help inform the ongoing work of Healthwatch East Riding and ensure we are setting our workplan according to the needs and experiences of the residents of East Riding. These meetings will provide a variety of opportunities to engage with the work of Healthwatch and influence decisions about our strategic priorities and the direction of future work.

Healthwatch East Riding of Yorkshire Independent Strategic Advisory Body (ISAB) Terms of Reference

The Healthwatch East Riding of Yorkshire Independent Strategic Advisory Body (ISAB) supports the Healthwatch staff team to deliver Healthwatch in the East Riding of Yorkshire. Ultimate responsibility for the delivery of the contract for Healthwatch East Riding rests with Meeting New Horizons CIC, the third-party organisation that holds the contract with East Riding of Yorkshire Council. Nevertheless, the Independent Strategic Advisory Body plays an important role in overseeing Healthwatch East Riding's strategic direction, monitoring the progress of Healthwatch East Riding against its work plans and overseeing the delivery of Healthwatch East Riding in line with the contract.

Role

The legal responsibility for the delivery of Healthwatch East Riding of Yorkshire rests with the Board of Meeting New Horizons CIC. The Independent Strategic Advisory Body (ISAB) has an important role in reviewing issues relating to Healthwatch in detail and making recommendations to Meeting New Horizons regarding its independence, transparency and openness. Information will be supplied to the ISAB by the Healthwatch East Riding staff team.

Membership

The Independent Strategic Advisory Body will be formed by up to four (4) independent experts (lay members), the Healthwatch delivery manager, and the Healthwatch Chief Executive. The Healthwatch Chief Executive will be appointed by Meeting New Horizons CIC.

Independent members of the Body will be appointed for their skills and expertise in one or more of the following areas:

- patient and public engagement
- marketing and communications
- health and social care
- volunteer management
- strategic leadership.

The Healthwatch delivery manager and staff team will support the group, with other staff or external personnel by invitation.

Main Tasks

The Healthwatch East Riding Independent Strategic Advisory Body takes initial responsibility for:

- Developing strategic plans for Healthwatch East Riding and any other projects developed under the Healthwatch East Riding initiative that are informed by the needs and experiences of East Riding residents
- Reviewing plans for the delivery of Healthwatch East Riding
- Monitoring progress against Healthwatch East Riding delivery plans and advising on amendments to meet identified need
- Making recommendations to the management of Meeting New Horizons CIC regarding maintaining and safeguarding the independence, probity and transparency of Healthwatch East Riding of Yorkshire
- Championing the public and patient views

Information will be provided by the Healthwatch East Riding staff team.

Meetings

The Independent Strategic Advisory Body (ISAB) will meet in person four times a year and the meetings will be open to the public. The role of these meetings will be to set the strategic workplan for Healthwatch East Riding and to check the delivery against that workplan at key stages. The ISAB provides the overview, scrutiny and challenge to the plans and actions of the delivery team. Dates and venues of meetings will be published in advance on our website.

Role Description

Healthwatch Independent Strategic Advisory Body Chair

The role of Healthwatch is to make sure people can influence and challenge health and social care services. Every local area has one. Healthwatch covers services provided by hospitals, care homes, GP surgeries, home care services and many others. Healthwatch East Riding of Yorkshire is the local Healthwatch for the East Riding of Yorkshire Local Authority area.

Healthwatch East Riding will:

- Provide information about local services to make sure people know how to access the help they need
- Signpost people to independent complaints advocacy when they need support to complain about a service received
- Listen to views about local services and make sure these are taken into account when services are planned and delivered.

The Healthwatch East Riding Independent Strategic Advisory Body (ISAB) supports the Healthwatch staff team to deliver Healthwatch in the East Riding. The Body will play an important role in overseeing Healthwatch East Riding's strategic direction, monitoring the progress of Healthwatch East Riding against its work plans, and overseeing the delivery of Healthwatch East Riding in line with the contract.

The Independent Strategic Advisory Body (ISAB) will be formed by up to four (4) independent experts (lay members), the Healthwatch delivery manager, and the Healthwatch Chief Executive. The Healthwatch Chief Executive will be appointed by Meeting New Horizons CIC.

Independent members of the ISAB will be appointed for their skills and expertise in one or more of the following areas:

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- marketing and communications
- health and social care
- volunteer management
- strategic leadership.

The Healthwatch delivery manager and staff team will support the Body, with other staff or external personnel by invitation.

The role of the Chair of the Independent Strategic Advisory Body (ISAB) is to:

- Ensure that meetings of the Advisory Body (and any public meetings) are chaired in an effective manner.
- Prepare the agenda for ISAB meetings (usually with the Healthwatch delivery manager)
- Act as an ambassador and representative for Healthwatch East Riding, upholding the reputation and values of the organisation.
- Network and promote the purpose, achievements, and benefits of Healthwatch East Riding.
- Work with the Healthwatch Chief Executive to raise any issues that the Independent Strategic Advisory Body wish to raise with Meeting New Horizons CIC.

In addition, you will play an active role as a member of the Healthwatch East Riding Independent Strategic Advisory Body. This group will oversee the strategic direction of Healthwatch East Riding, monitor progress against its work plans, and oversee delivery of Healthwatch East Riding in line with the contract.

The Independent Strategic Advisory Body will:

- Take a strategic overview of the work and activities of Healthwatch East Riding of Yorkshire
- Safeguard the independence, openness and transparency of Healthwatch East Riding and make recommendations to the management of Meeting New Horizons CIC where these could be called into question
- Act in accordance with the Nolan principles of standards in public life¹ and the code of conduct for Healthwatch Volunteers
- Ensure that good governance and management arrangements are in place, including processes to maintain robust accounts of how local Healthwatch has used its funds
- Demonstrate accountability to the local community for the way it takes decisions through adoption and use of good governance principles, including transparency, independence and lay leadership
- Value people and skills and have a set of competencies that enables it to deliver its statutory roles
- Promote the work of Healthwatch East Riding
- Meet four times per year

To be a member of the Independent Strategic Advisory Body (ISAB) you will need:

- Knowledge of the Health and Social Care Act 2012 and the role and function of Healthwatch

¹ <http://www.public-standards.gov.uk/>

- An understanding of the specific health and social care needs of the population of the East Riding of Yorkshire
- Knowledge and understanding of community engagement and / or patient and public involvement
- An outgoing, friendly and approachable personality, with the ability to adapt your style to a wide variety of situations
- The confidence to use your own initiative, be pro-active and demonstrate an eye for detail
- The ability to recognise and mediate competing interests within a wider agenda
- To give at least twenty hours of your time per year to Healthwatch East Riding

The role will attract an annual payment of £500. Individuals may hold the post for three (3) years. This may be extended by a further two (2) years by mutual agreement of all parties. Selection for this role will be based on the personal statements made on your application form and an interview.

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² <http://www.public-standards.gov.uk/>

Healthwatch Stakeholder Forum

Terms of Reference

The Healthwatch Stakeholder Forum is a multi-agency meeting bringing together statutory and voluntary organisations from across the East Riding of Yorkshire, with Healthwatch volunteers and staff members.

The Forum aims to provide a forum for discussion of patient and public involvement and engagement. It also aims to provide opportunities to discuss issues of interest to all agencies working within Health and Social Care across the East Riding.

These Terms of Reference will be reviewed annually throughout the current Healthwatch contract.

The Healthwatch Stakeholder Forum will:

- Provide a strategic overview of patient and public involvement and engagement in health and care within the East Riding area
- Provide a valuable forum for information exchange between statutory and non-statutory organisations and individual members including:
 - East Riding of Yorkshire Council (officers and members)
 - Local NHS Provider Organisations
 - Local Clinical Commissioning Groups
 - Advocacy services
 - Patient Advice and Liaison Services staff
 - Healthwatch Partners from the Voluntary and Community Sector
 - Healthwatch staff and volunteers
 - Local Pharmaceutical Committee
 - Local Optical Committee
 - Local Dental Committee
 - Other relevant bodies working in health and social care
- Adopt an informal role - e.g. advising on appropriate involvement and consultation methods with specific communities and groups
- Not seek a mandate for official status within current partnership arrangements

- Maintain an overview of the Healthwatch East Riding strategic plan and workplan priorities
- Consider and highlight gaps in service provision
- The remit of the group will be reviewed annually
- Meetings to be held three to four times per year

Membership

The Group membership will be flexible and evolve over time; however, we hope initially that it will include representation from the following organisations:

NHS:

- East Riding Clinical Commissioning Group
- Vale of York Clinical Commissioning Group
- Hull and East Yorkshire Hospitals NHS Trust
- Northern Lincolnshire and Goole NHS Foundation Trust
- York Teaching Hospital NHS Foundation Trust
- Humber NHS Foundation Trust
- City Health Care Partnership CIC
- Yorkshire Ambulance Service (YAS)

East Riding of Yorkshire Council:

- Public Health
- Adult Social Care
- Children's Services
- Health Overview and Scrutiny Committee

Independent Sector Care Providers:

Major providers of residential and/or domiciliary care, or relevant umbrella body

Healthwatch East Riding:

- Independent Strategic Advisory Body
- Staff team
- Volunteers

Advocacy: Independent Complaints Advocacy (ICA) East Riding

Voluntary and Community Sector:

Healthwatch Partner organisations represented by Officers or Members

Minutes to be circulated to:

Public via Healthwatch website

Meeting format

The meetings aim to provide a forum where interested parties can share issues and problems openly, with an aim to developing solutions. Meetings will usually have a particular theme related to an area identified within the Healthwatch East Riding strategic plan and will use a variety approaches including, for example, roundtable discussions, Q&A sessions and guest speakers. Members can suggest topics for discussion and speakers of interest, to shape the agenda for the next meeting.

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