

Healthwatch Lancashire - Decision Making Policy

Introduction

Healthwatch Lancashire wishes to ensure that the way it makes decisions and the outcome of any decisions made is transparent. We also wish to ensure that we always put the interests of the people of Lancashire first. Healthwatch Lancashire has therefore adopted the following decision-making policy, which also aims to ensure that all decisions are evidence-based and are made in a consistent and fair way.

Background Information

As a company limited by guarantee and a Local Healthwatch organisation, decision-making within Healthwatch Lancashire is governed by:

- The NHS Bodies and Local Authorities (Partnership Arrangements, Care Trusts, Public Health and Local Healthwatch) Regulations 2012;
- The Local Government and Public Involvement Act 2007, amended by the Health and Social Care Act 2012;
- The 2006 Companies Act;
- The 2012 Health and Social Care Act;
- Healthwatch Lancashire's Articles of Association.

Regulation 40 of the NHS Bodies and Local Authorities (Partnership Arrangements, Care Trusts, Public Health and Local Healthwatch) Regulations 2012 require Healthwatch Lancashire to have in place and to publish procedures for making 'relevant decisions'. These procedures must include:

- Provision as to who may make 'relevant decisions';
- Provision for involving lay persons or volunteers in such decisions;
- Provision for dealing with breaches of any procedure referred to in the two previous points, which should include circumstances in which a breach would be referred to the local authority/authorities commissioning the Local Healthwatch service.

Healthwatch Lancashire is a corporate body and within the contractual arrangements made with Lancashire County Council must undertake particular operational activities. Therefore 'relevant decisions' are defined as including all decisions about:

- Promoting and supporting the involvement of local people in the commissioning, the provision and scrutiny of local health and social care services;
- Enabling local people to monitor the standard of provision of local health and social care services and whether and how local health and social care services could and ought to be improved;
- Obtaining the views of local people regarding their needs for, and experiences of, local health and social care services and importantly to make these views known;
- Making reports and recommendations about how local health and social care services could or ought to be improved. These should be directed to commissioners and providers of health and social care services, and people responsible for managing or scrutinising local health and social care services and shared with Healthwatch England.;
- Providing advice and information about access to local health and social care services so choices can be made about local health and local care services;
- Formulating views on the standard of provision and whether and how the local health and social care services could and ought to be improved: and sharing these views with Healthwatch England;
- 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 directly to the CQC); and to make recommendations to Healthwatch England to publish reports about particular issues;
- Providing Healthwatch England with the intelligence and insight it needs to enable it to perform effectively.

Who can make ‘Relevant Decisions’

In accordance with the Companies Act 2006, and as set out in the company’s Articles of Association, overall accountability for decision-making within Healthwatch Lancashire resides with the Board of Directors.

The Board’s role is:

1. Setting and ensuring the delivery of the overall strategy;
2. Stewardship and accountability for the delivery of the strategy;
3. Governance and assurance.

Whenever possible, all 'relevant decisions' will be made at meetings of the Board held in public. The Board of Healthwatch Lancashire has also delegated some of its decision-making powers to sub committees of the Board. When it is necessary to make 'relevant decisions' at other times, or by sub committees of the Board, they will be ratified, where appropriate, at the subsequent Board meeting held in public.

Recording and Publishing Decisions

All 'relevant decisions' 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 Lancashire's website, once they have been agreed by the Board as being a correct record of the meeting concerned.

Appeals Against Decisions

The Board of Healthwatch Lancashire will reconsider a decision where new evidence 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.

Provision for Involving Lay Persons or Volunteers in Such Decisions

Membership of the Board of Directors and sub committees of the Board of Healthwatch Lancashire include lay members.

Dealing with Breaches of These Procedures

If a decision is taken in the name of Healthwatch Lancashire without authorisation in the manner set out above, the Board will determine what action is needed, either to approve the decision retrospectively, or to reverse the decision. If the breach of the agreed procedure is considered to have also breached the contract between Healthwatch Lancashire and Lancashire County Council, it will be reported to the Council and further action agreed.

Review of Procedures

The Board of Healthwatch Lancashire will review the effectiveness of the decision-making procedures set out in this document annually.

Responsible Manager : G. Brown, CEO

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