

Protocol
for
Joint Working between

Tees Esk and Wear Valleys NHS Foundation
Trust

and

Healthwatch Organisations in

County Durham, Hartlepool, Middlesbrough,
Redcar and Cleveland,
Stockton on Tees, Darlington, North
Yorkshire and York

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1. BACKGROUND

This document is an agreement between representatives of Tees, Esk and Wear Valleys NHS Foundation Trust (the 'Trust') and Healthwatch organisations in County Durham, Hartlepool, Middlesbrough, Redcar and Cleveland, Stockton, Darlington, North Yorkshire and York. ('Healthwatch').

This protocol is to set out an agreement for joint working between the Trust and Healthwatch to share a common goal of ensuring that the views and interests of patients and the general public is at the heart of everything we do. We agree to work together to challenge each other when necessary to support our shared purpose of improving health and wellbeing of the community.

The shared approach for working together will be characterized by openness, transparency, information sharing and timely engagement on issues of mutual interest and importance.

2. INTRODUCTION

The Health and Social Care Act 2012 introduced amendments to Section 221 of the Local Government and Public Involvement in Health Act 2007 and public involvement in health and social care through the establishment of Healthwatch organisations (replacing the Local Involvement Networks). NHS Foundation Trusts already have an established track record of successfully involving the public. There is scope, therefore, for both cooperation and duplication of work in this area.

Although both are independent organisations there is a mutual interest in ensuring that patients and the wider public have an active voice in determining the shape and delivery of health and care services within their local area.

This protocol seeks to clarify the respective roles and functions of both the Trust and those Healthwatch organisations that fall within the catchment areas of the Trust and the associated Local Authorities. (County Durham, Darlington, Teesside, North Yorkshire and York).

3. HEALTHWATCH

The remit of Healthwatch organisations covers all publicly funded health and adult social care services, no matter who provides them. They are independent bodies.

Healthwatch organisations generally have a membership that is open to all individuals and community groups (this is dependent on each individual organisation).

The purpose of Healthwatch is to:

- promote and support the involvement of people in the commissioning, provision and scrutiny of local care services (healthcare and social care)

- enable people to monitor and review the commissioning and provision of local care services relating to:
 - the standard of service provision
 - whether and how local care services could be improved
 - whether and how local care services ought to be improved
- obtain the views of people about their needs and experiences of local care services
- make such views known and make reports and recommendations about how local care services could or ought to be improved to the people responsible for commissioning, providing, managing or scrutinising local care services
- provide advice and information about access to local care services and about choices that may be made with respect to aspects of those services
- reach views on the standard of provision of local care services, and whether, and how local care services could or ought to be improved
- make those views known to the Healthwatch England Committee of the Care Quality Commission (CQC)
- make recommendations to Healthwatch England to advise the CQC about special reviews or investigations to conduct (or, where the circumstances justify doing so, make such recommendations direct to the CQC)
- make recommendations to Healthwatch England that it should publish a report on a particular health or social matter
- give Healthwatch England such assistance as it may require to carry out its' functions effectively, efficiently and economically

Healthwatch organisations are hosted by an independent body other than a Local Authority or an NHS body. The role of hosts is to provide support to Healthwatch. They are performance managed by Local Authorities through contracts.

The rights of Healthwatch are to:

1. Enter and View

This is to enter and view specific types of premises where services and care are provided for the purpose of observing and assessing the nature and quality of those services and to obtain the views of the people using those services. It is important to recognise that any enter and view visit is to establish a cooperative relationship that assists in the constant improvement of service provision.

Any such requests for a visit should be made in writing including:

- a suggested date and time with the duration of the visit approximated
- the reason for the visit and what information (anonymised) has prompted the visit
- the overall structure of the visit identifying:
 - staff and services users/carers that authorised representatives (those who have been trained and who have undergone Disclosure and Barring Service checks) wish to meet

- identification of any special communication or access needs
- the types of activities that wish to be observed
- whether any information (written) will be provided/handed out
- whether there is a requirement for staff or service users to accompany authorised representatives during the visit
- the names of the authorised representatives conducting the visit
- what identification will be provided

It is recognised, that on occasion it may be appropriate to conduct unannounced visits. Entry can be refused by the Trust if it is determined that this could compromise the effective provision of care services, or the privacy or dignity of any person.

During the conduct of any visit, Healthwatch should ensure that authorised representatives maintain an appropriate and professional manner throughout the visit. Visits may be curtailed by the Trust if it is felt that representatives are not conducting themselves in an appropriate manner.

Specifically they agree to:

- treat all staff, service users and other persons with courtesy, sensitivity and respect
- ensure the dignity and privacy of all with whom they come into contact with
- be unobtrusive and informative
- exhibit no discriminatory behaviour
- respect individual confidentiality
- comply with operational and health and safety requirements
- avoid interrupting the effective delivery of a service and refrain from unreasonable demands that may impact on that delivery
- recognise that the needs of a service user must take priority

During the facilitation of a visit the Trust will:

- allow and enable access to all appropriate areas of a premise
- work cooperatively and in partnership
- accompany authorised representatives if required and appropriate
- assist with the facilitation of communication between consenting service users and authorised representatives if required

Following the conclusion of a visit, Healthwatch agree to document their findings in writing. This should include:

- sources of information whilst maintaining confidentiality
- detailed and constructive observations and suggestion on how to improve service provision
- highlight any shortfalls
- highlight areas where service provision is meeting or exceeding expectations and requirements

Reports will be made available to the Trust and any other concerned parties to enable factual inaccuracies to be discussed and addressed prior to publication.

The Trust reserves the right to raise comments or objections to any content within 20 working days. Healthwatch will agree to enter into discussion with the Trust but there is no obligation to amend any part of the report if the findings are found to be balanced and factually accurate but will document the Trust's comments.

All reports produced following enter and view visits will be shared by Healthwatch with the relevant organisations including Healthwatch England, Health Overview and Scrutiny Committee, Health and Wellbeing Boards, Clinical Commissioning Groups (CCGs) and the Care Quality Commission (CQC). Any decision to share with others bodies such as local media, health and social care providers, chairs of partnership boards must be deemed reasonable and proportionate in terms of the evidence contained within the report. This will differ according to the report sharing protocols for each Healthwatch organisation.

2. Requesting Information

Any request for information may be made by Healthwatch to the Trust in writing. The response time for providing information is in line with the Freedom of Information Act 2000 timescales (20 working days). The Trust however will seek to respond as soon as possible.

4. **TEES, ESK AND WEAR VALLEYS NHS FOUNDATION TRUST**

NHS Foundation Trusts are public benefit corporations set up to innovate and improve healthcare based upon the principles of mutuality. They are free from central government control. They are performance managed under a Risk Assessment Framework by NHS Improvement and regulated by the Care Quality Commission.

The Trust is responsible for making arrangements for people who receive or may receive services to be involved in:

- the planning of the provision of services
- developing and considering proposals for changes in the way those services are provided
- decisions affecting the operation of those services

The Trust is managed by a unitary Board of Directors responsible for strategic decision making and is accountable in terms of performance to the Council of Governors. The majority of Governors are elected by the membership of the Foundation Trust, which in turn is drawn from the public within England and from the staff.

The Trust does not have an accountability relationship with Healthwatch organisations; however they do have certain statutory duties as set out below:

- to respond to requests for information made by Healthwatch
- respond to requests to enter and view
- consider reports and recommendations made by Healthwatch

- consider any reports or recommendations from Healthwatch that have been referred by another services provider
- to advise Healthwatch, in advance of any public consultation it is considering embarking upon

NHS England recommends that NHS Foundation Trusts consult with Healthwatch organisations on their quality accounts.

5. WORKING TOGETHER AND AVOIDING DUPLICATION

Early engagement and on-going dialogue will be the key to an effective relationship. Both organisations will require a common understanding of governance structures, communications strategies, processes and procedures for visits and agreement on conduits for information and liaison. Healthwatch and the Trust need individuals to be clear about the capacity in which they are acting and their roles and responsibilities. All organisations should explore an informal means of dealing with areas where there is disagreement.

6. CO-OPERATION

The Trust and Healthwatch have agreed to an informal model for co-operation, the provisions of which are:

- the point of contact for all communication from the Trust to Healthwatch will be through the identified key contact for each individual Healthwatch organisation shown at Appendix 1.
- the point of contact for all communication from Healthwatch to the Trust will be through the Deputy Trust Secretary/Head of Member Services.
- the Trust will invite Healthwatch to have a standing invitation to participate in significant service user, carer and public involvement activity
- the Trust will provide Healthwatch with the results of any public consultations undertaken
- the Trust will host quarterly meetings with Healthwatch to discuss matters of mutual interest

7. Review

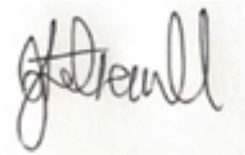
This protocol will be reviewed on an annual basis.

Signatories:

Chair of Healthwatch Darlington
Elizabeth McAllister

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Engagement & Signposting Lead of Healthwatch County Durham
Julia Catherall

Handwritten signature of Julia Catherall in black ink.

Manager of Healthwatch Hartlepool
Christopher Akers-Belcher

Handwritten signature of Christopher Akers-Belcher in black ink.

Manager of Healthwatch, Middlesbrough, Redcar & Stockton
Natasha Judge

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Delivery Manager of Healthwatch, North Yorkshire
Nigel Ayre

Handwritten signature of Nigel Ayre in black ink.

Director of Healthwatch, York
Sión Balsam

A handwritten signature in black ink, appearing to read 'Sion Balsam', written in a cursive style.

**Chief Executive of Tees, Esk and Wear Valleys NHS Foundation
Trust**
Colin Martin

A handwritten signature in blue ink, appearing to read 'C. S. Martin', written in a cursive style.

Key Contacts - Healthwatch

North Yorkshire

Nigel Ayre, Delivery Manager
Email: nigel.ayre@healthwatchnorthyorkshire.co.uk
Tel: 01904 683802

Healthwatch
15 Priory Street
York YO1 6ET

York

Siân Balsom, Manager
Email: Sian.Balsom@yorkcvs.org.uk
Tel: 01904 621133

Healthwatch York
15 Priory Street
York YO1 6ET

County Durham

Julia Catherall, Engagement & Signposting Lead
Email: julia.catherall@pcp.uk.net
Tel: 0191 3787699

Healthwatch County Durham
Whitfield House, St Johns Road
Meadowfield Industrial Estate,
Durham
DH7 8XL

Darlington

Diane Lax, Operations Manager
Email: d.lax@healthwatchdarlington.co.uk
Tel: 01325 380145 or 07525237723

Evolution Building
Church Row
Darlington
DL1 5QD

Hartlepool

Christopher Akers-Belcher - Manager
Email: christopher@healthwatchhartlepool.co.uk or
stephen@healthwatchhartlepool.co.uk
Tel: 01429 288146

Healthwatch Hartlepool,
The Orcel Centre
Wynyard Road
Hartlepool
TS25 3LB

**Teesside
(Middlesbrough,
Redcar**

Natasha Judge – Development & Delivery Manager
Email: natasha.judge@healthwatchsouthtees.org.uk
Tel: 01642 688312

Catalyst House
27 Yarm Road
Stockton on Tees,
TS18 3NJ

Stockton

Jane Hore, Community Engagement Lead
Email: jane.hore@pcp.uk.net
Tel: 01642 688312

Catalyst House
27 Yarm Road
Stockton on Tees
TS18 3NJ

The Trust:

Kathryn Ord
Email: Kathryn.ord@nhs.net
Tel: 01325 552307

Deputy Trust Secretary
West Park Hospital
Edward Pease Way
Darlington
DL2 2TS

Or

Phil Bellas, Trust Secretary

Email: p.bellas@nhs.net
Tel: 01325 552001

Terms of Reference

Joint Working Group of Tees, Esk and Wear Valleys NHS Foundation Trust and Healthwatch organisations

This meeting is established through the agreed Joint Working Protocol between Tees Esk & Wear Valley NHS Foundation Trust and Healthwatch Organisations in County Durham, Hartlepool, Middlesbrough, Redcar and Stockton, Darlington and North Yorkshire and York.

FUNCTIONS

1. To share intelligence from Tees, Esk and Wear Valleys NHS Foundation Trust.
2. To share intelligence from each Healthwatch organisation.
3. To allow questions and areas of clarity to be raised and answered.
4. To ensure that patients and the wider public have an active voice in determining the shape and delivery of health and care services provided within the local areas.
5. To work together to reach out to the community.

DUTIES OF BOTH ORGANISATIONS

1. To involve patients and the wider public in planning and developing both new and existing health care services, so that such services seek visibly to conform with the identified and stated needs of the service users and wider public.
2. To actively listen to the patients and wider public and to provide valid and constructive feedback in order to satisfy them that their views are valued.
3. To provide an equal and inclusive forum where the views of all patients and the wider public can be expressed without fear of prejudice or reprisal.
4. To remain sensitive to the differing needs, values and preferences of the patients and the wider public and to ensure that all service provision respects and conforms to those needs, values and preferences wherever possible.
5. To ensure that patients and the wider public are fully engaged in the design and exchange of information pertaining to service provision.

MEMBERSHIP

The group shall comprise of the:

- TEWV, Trust Secretary
- TEWV, Deputy Trust Secretary
- Healthwatch representatives from:
 - Darlington
 - Durham
 - Hartlepool
 - Middlesbrough
 - Redcar and Cleveland
 - Stockton
 - North Yorkshire
 - York

The Chairman of the group will be the Trust Secretary or Deputy Secretary in their absence.

The Secretary of the group will be the Deputy Trust Secretary or nominated deputy from Tees, Esk and Wear Valleys NHS Foundation Trust.

Non group members may be invited to discuss areas of mutual interest.

Quorate for meetings shall be:

- Trust Secretary or Deputy Trust Secretary
- A minimum of 3 representatives from Healthwatch organisations

FREQUENCY OF MEETINGS

Meetings shall be held quarterly at West Park Hospital, Darlington. Hosted by Tees, Esk and Wear Valleys NHS Foundation Trust.

MINUTES AND REPORTING PROCEDURES

1. The minutes of all meetings of the Joint Working Group shall be formally recorded and circulated for agreement of all organisations.
2. Each organisation will, where required report back into their own organisation key matters of interest.

REVIEW

The Terms of Reference of the Joint Working Group shall be reviewed by the group annually.