

# Healthwatch Rotherham

## Decision Making Policy

### Background

Healthwatch Rotherham is the independent health and social care champion and exists to ensure that people are at the heart of care. The Health and Social Care Act 2012 introduced the requirement for a Healthwatch organisation to be set up in every local authority area across England and in Rotherham, the Local Authority commissioned Citizens Advice Rotherham & District (CARD) to deliver this service. Each local Healthwatch is a key part of its local community and works in partnership with other organisations in its area. For Healthwatch Rotherham, this includes working with the Local Authority, the NHS, local hospital and voluntary organisations.

Healthwatch Rotherham is hosted by Citizens Advice Rotherham and the service receives support from the executive team including, line management, financial reporting and HR services.

The Healthwatch Rotherham Strategic Advisory Board (SAB) acts independently from Citizens Advice Rotherham & District (CARD) in deciding what work the service will do, but delivers outcomes that meet the service level agreement between CARD and RMBC. Healthwatch Rotherham is therefore accountable to the Trustees of CARD. These decisions are formed as part of the Healthwatch work plan.

### Introduction

Regulations for local Healthwatch state that each local Healthwatch must have a procedure for making relevant decisions when considering carrying out local Healthwatch Activities (and the arrangements for sub-contracting those activities). This is to ensure the way that Healthwatch Rotherham makes its decisions is open and transparent and that the interests of Rotherham people are put first. Regulations require a local Healthwatch to publish procedures for its decision-making in relation to “relevant decisions”

The following Procedures have been adopted:

The Procedures must include:

1. Provision as to who may make such decisions
2. Provision for involving lay persons or volunteers in such decisions
3. How to deal with breaches of any procedure, including the circumstance in which a breach would be referred to the local authority

Healthwatch Rotherham operates under a hosted model, and must ensure transparency of decision-making between Healthwatch Rotherham and CARD, and the arrangements for complying with the procedures set out above.

### What is a Relevant decision?

A relevant decision should not be taken without the necessary published procedure being in place. Relevant decisions include:

- How to undertake your activities
- Which health and care services you are looking at covering with your activities
- The spending amounts of your 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 your activities to another person
- Any decisions about subcontracting

### Provision as to who may make such decisions

1. The Strategic Advisory Board (SAB) will guide the Healthwatch Manager who will be responsible for making the majority of the relevant decisions. All decisions will be approved at the SAB by at least three people made of:
  - a. Steering Group Chair or deputy
  - b. Healthwatch Rotherham Manager or representative
  - c. 1 other Steering Group member
2. The Healthwatch Manager will provide monthly updates to the steering group on proposed work plans. The steering group will follow point one for making decisions.
3. Any amendments to this policy and the procedures governing the making of relevant decisions will require authorisation of the SAB Chair & CARD's CEO. The amended policy will be published and made available to the public as soon as is practicable.
4. Recording and Publishing Decisions  
All 'relevant decisions' will be recorded in the minutes of the SAB meeting at which the decision was made. The minutes of all SAB meetings are published on Healthwatch Rotherham's website once they have been agreed by the SAB as being a correct record of the meeting concerned.
5. Appeals Against Decisions  
With direction from the SAB, the Healthwatch Manager 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 Involving lay people and volunteers

1. Lay people and volunteers are included in our decision-making and involved in our activities.
2. Healthwatch Rotherham's SAB is composed solely of lay persons and volunteers.
3. Healthwatch Rotherham operates under a hosted model but decision-making is ratified by the SAB
4. A lay person is:
  - a. Not a health or social care professional
  - b. Not an employee of a Healthwatch organisation
5. A volunteer is an unpaid person (except for travel or other expenses) and is member or director of, or otherwise participates in the governance of the organisation or contractor

## Breaches of any procedure

1. Provision for dealing with breaches of any procedure referred to in the two previous points which should include the circumstances in which a breach would be referred to the local authority.
2. If a decision is taken in the name of Healthwatch Rotherham without authorisation in the manner set out above, the SAB 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 CARD and RMBC, it will be reported to the Trustees of CARD and further action agreed.

## Conflicts of interest

1. Healthwatch Rotherham ensures that conflicts of interest are declared upon application. This is to ensure that people involved in Healthwatch Rotherham who may be involved in other activities or have personal interests do not create, or appear to show, a conflict of interest with their Healthwatch duties.
2. Conflicts of interest in commissioned work
  - a. Healthwatch Rotherham may generate additional income to their core local authority contract funding, for example, by carrying out commissioned work. Healthwatch Rotherham will check terms before seeking or accepting additional work to ensure our independence is not compromised.

## Review of Procedures

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

Last reviewed V2 04.04.24