

# Decision making policy

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Version 2

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# Decision making: policy and procedures for all staff, board and volunteers

## Policy Statement

Healthwatch Leicester and Leicestershire makes its decisions in an open and transparent way and ensures the interests of the people of Leicester and Leicestershire 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:

- *The NHS Bodies and Local Authorities (Partnership Arrangements, Care Trusts, Public Health and Local Healthwatch) Regulations 2012* - referred to as Regulation 40 throughout this document.
- *Freedom of Information Act 2000*.
- *Seven Principles of Public Life (Nolan Principles)*.

This policy applies to all relevant decisions made by Healthwatch Leicester and Leicestershire.

## Relevant decisions

Regulation 40 requires Healthwatch Leicester and Leicestershire 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 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.

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 Leicester and Leicestershire Board, will be responsible for making relevant decisions. The Board will have the power to delegate some of the relevant decision making to the Lead Officer of Healthwatch Leicester and Leicestershire, for example, small pieces of work which do not have a substantive impact on staff or financial resources.

All relevant decisions, including those delegated to the Lead Officer, 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 Leicester and Leicestershire'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.

The Board of Healthwatch Leicester and Leicestershire 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.

Healthwatch Leicester and Healthwatch is delivered by Voluntary Action LeicesterShire (VAL), who ultimately hold accountability for the delivery of the contract. Under the VAL Governance Framework, delegated authority for decision making is given to the Healthwatch Leicester and Leicestershire Advisory Board, whose membership comprises of volunteers who live in or have a vested interest in Leicester and Leicestershire.

## Involving lay persons or volunteers in such decisions

Healthwatch Leicester and Leicestershire's Board is composed solely of lay persons (a person who is not a health or social care professional) and volunteers (a person who is not a paid employee of Healthwatch Leicester and Leicestershire). Healthwatch Leicester and Leicestershire intends to secure broad based views on its activities wherever possible, and involves others, particularly lay people and volunteers in its decision making.

## How are decisions made?

The potential scope of the work of Healthwatch Leicester and Leicestershire is vast - it has a responsibility for health and social care services for all adults, children and young people in Leicester and Leicestershire, including those who are most vulnerable or may be excluded. This means we must prioritise the issues we focus on. The main sources to inform our work programme are likely to come from:

- 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 deliberative research, public surveys and polls.
- 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, the Healthwatch Leicester and Leicestershire Board will carefully consider all sources of information and decide where it can add most value. Areas to be considered include but are not limited to:

- That the issues fit with our organisational role and responsibilities, ensuring Healthwatch Leicester and Leicestershire delivers to its statutory remit.
- How much the issue matters to local people, it must be something they care about as we are here to be the voice of people in health and social care.
- How much change Healthwatch Leicester and Leicestershire 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, maintain our independence and ensure we bring issues to the attention of the health and care system.

- Does the change need to come from Healthwatch Leicester and Leicestershire - so we aren't focusing on things that others can do more easily and effectively?
- Finally, the Board of Healthwatch Leicester and Leicestershire will consider our work as a full set of priorities, as together they need to have the greatest impact for people using health and social care services.

Board meetings are open to the public, and minutes recording decisions will be available via Healthwatch Leicester and Leicestershire'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 Leicester and Leicestershire 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.

If the breach of the agreed procedure is considered to have also breached the contract between Healthwatch Leicester and Leicestershire and the Local Authority, it will be reported to the Local Authority and further action agreed between the Local Authority and Healthwatch Leicester and Leicestershire.

In each eventuality, actions will be minuted and published on Healthwatch Leicester and Leicestershire's website.

### **Equality, Diversity and Inclusion statement**

Healthwatch Leicester and Leicestershire 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, religion or belief, sex and sexual orientation, in accordance with the Equality Act 2010.

Healthwatch Leicester and Leicestershire will monitor this policy in order to identify whether it is having an adverse impact on any group of individuals and act accordingly.

### **Review of policy document**

The Board of Healthwatch Leicester and Leicestershire will review the effectiveness of the decision making policy and procedures set out in this document every two years. Any amendments to this policy and the procedures governing the making of relevant decisions will require a simple majority of board members voting in favour.

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

### **Procedures**

Reference to 'Board' throughout this document incorporates Advisory Boards where the Local Healthwatch is hosted and Governing Boards where the Local Healthwatch is standalone.

Healthwatch Leicester and Leicestershire undertakes to carry out the following procedures:

- Publish Healthwatch Leicester and Leicestershire most up to date policy document on Healthwatch Leicester and Leicestershire's website.

- Review and obtain Board approval to Healthwatch Leicester and Leicestershire decision making policy every two years.
- Ensure all Healthwatch Leicester and Leicestershire staff are familiar with the policy and refresh their understanding and awareness of the need for open and transparent decision making by reading the policy on a regular basis, at a minimum after review by the Board.
- Publish minutes from Board meetings where decisions are made in a timely manner on Healthwatch Leicester and Leicestershire’s website. Where decisions are made outside of board meetings, they will be ratified at the subsequent Board meeting.

<b>Decision making policy and procedures</b>	
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