

Healthwatch England Escalation Guidance

This guidance provides information on how to do four things:

- 1) Collating people's views and experiences of care services from local Healthwatch
- 2) Highlighting health and care issues for consideration by Healthwatch England.
- 3) Deal with an immediate safeguarding concern.
- 4) Deal with a quality and safety issue relating to service providers

Purpose of this document

Healthwatch England understands the importance of acting appropriately on intelligence and service users' feedback to ensure that individuals are not subjected to poor quality health and care services. This document sets out how the Healthwatch network is expected to work together with the Care Quality Commission (CQC) to ensure that we are able to develop a comprehensive picture of the state of care. It aims to ensure that we do not miss opportunities to identify poor care, or shed light on failings affecting people using health and social care services.

This guidance assumes that each local Healthwatch will be building an effective relationship with their local CQC manager. This will enable the local Healthwatch to routinely share appropriate feedback and for the CQC to inform the local Healthwatch about its inspection findings.

Healthwatch England expects the CQC to provide information to local Healthwatch about working with local inspection teams. Healthwatch England would also encourage local Healthwatch to share relevant feedback they have received from the public with local providers and commissioners of services. This should help to resolve any concerns as quickly as possible, reducing the risk of these concerns escalating into significant problems and leading to improved services.

We will review this policy on a regular basis.

Date: 3rd June 2013 Healthwatch England 07/06/2013 2

Sharing people's views and experiences of health and social care with Healthwatch England

Healthwatch England would like to know about people's views and experiences of health and social care. This intelligence (e.g. individual comments and feedback, local Healthwatch surveys and Enter & View reports, etc.) should be captured by local Healthwatch using the Hub to record the information in a manner in which the service user can not be identified.

Based on this rich source of intelligence provided by local Healthwatch, Healthwatch England will produce special reports, as well as raising areas of concern with the Care Quality Commission (CQC). Where appropriate, Healthwatch England will recommend that the CQC undertake special reviews or investigations. Healthwatch England

07/06/2013 3

Highlighting health and care issues for consideration by Healthwatch England.

Local Healthwatch responses to Adult and Children's Safeguarding alerts (Section 3) and safety issues relating to services providing health and care (Section 4) are set out in subsequent sections. This section focuses on how local Healthwatch can raise issues and trends to the attention of Healthwatch England for consideration. It also sets out how Healthwatch England will respond to issues brought to our attention by local Healthwatch:

1) The issue or area of concern should be raised with Healthwatch England by email, letter or over the telephone. Local Healthwatch should clearly state that you are escalating an issue which you would like Healthwatch England to consider undertaking a report on. The particular issue which you wish to be investigated and reported on should be clearly identified.

2) All issues flagged for consideration will be acknowledged by Healthwatch England within 10 working days of being raised.

3) We will develop a set of key principles which will guide us in evaluating each issue. Once fully developed, these principles will be published. Issues, trends or areas of concern identified by this process will be passed on to the Healthwatch England Committee for consideration.

4) Topics for Healthwatch England's special reports will be decided by the Healthwatch England Committee quarterly, using information provided by local Healthwatch and from the Hub, as part of the business planning cycle.

5) Healthwatch England will communicate decisions and rationale in writing to the originating local Healthwatch with any recommendations for alternative courses of action, where appropriate.

6) Where Healthwatch England has recommended that the CQC undertake a special review or investigation, the CQC will respond in writing stating whether or not they accept Healthwatch England's recommendation and the reason for their decision.

Healthwatch England 07/06/2013 4

3. Dealing with safeguarding issues

There will be times where a local Healthwatch identifies an immediate risk to the safety and wellbeing of people using services whose circumstances make them particularly vulnerable to abuse, neglect or harm. **These matters should be referred immediately to the relevant Local Authority's Safeguarding Team and/or the police. This applies to both Adult and Children's Safeguarding concerns.**

Local healthwatch should also share Children's Safeguarding issues or concerns with Ofsted if the issue relates to a social care setting and may share their concern with the Care Quality Commission (CQC) if the issue relates to a health setting.

If Healthwatch England becomes aware of an Adult or Children's Safeguarding issue we will also independently escalate the safeguarding issue to the CQC or the Local Authority's Safeguarding Team as appropriate.

We ask each local Healthwatch to notify Healthwatch England

- on a quarterly basis a summary of the number of adult and children's safeguarding referrals made to Local Authorities.

If the safeguarding issue is not resolved to your satisfaction we would ask you to escalate them using the process below.

Escalation Process

1) Firstly you should follow up directly with the organisation to which you raised the alert (Local Safeguarding Authority, the police or the Care Quality Commission) setting out your concerns to their initial response.

If the local Healthwatch is not satisfied with the organisation's final response, you should follow their complaints procedure and flag it with Healthwatch England as a safeguarding issue by email, letter or over the telephone. Local Healthwatch should clearly state that you are escalating a safeguarding concern which you are pursuing under the Local Safeguarding Authority, the police or the Care Quality Commission's complaint procedure. This will enable us to identify problems in the organisation's capacity to respond and act effectively on safeguarding information.

2) Please copy Healthwatch England in to any further correspondence regarding the escalated safeguarding issue.

Healthwatch England 07/06/2013 5

3) Healthwatch England will evaluate the situation within 3 working days of it being raised with us to determine the best course of action. We will review each case individually.

4) When escalating an issue, Healthwatch England will take the issue to the CQC or to your Local Authority (as appropriate) within 3 working days of it being raised with us. The CQC will be obliged to respond as set out in their safeguarding policy. This would involve an acknowledgement and identification of case handler within 3 working days and more detailed response of actions being taken in 15 working days.

5) Healthwatch England will write to you to inform you if any or no action is being taken and update you periodically until the actions are closed.

6) On occasion, Healthwatch England may be asked to escalate an issue by a neighbouring local Healthwatch. Where Healthwatch England escalates an issue from your local area, we will notify you of this concern and then provide feedback as well as inform you of any actions that have taken place as a result of this.

7) All the issues escalated to Healthwatch England will be reviewed by the Healthwatch England Committee or appropriate sub-Committee at least quarterly so that trends or areas of concern can be identified and monitored.

Healthwatch England 07/06/2013 6

4. Quality and safety issues related to local services

Local Healthwatch may have reason to be concerned about the quality and safety of a service because of feedback from the public including patients. This information may not amount to a safeguarding issue where an immediate risk is posed to an individual but is of sufficient concern that it must be acted on appropriately.

In these instances, as part of their ongoing local CQC relationship, the local Healthwatch must contact their local Care Quality Commission Compliance Manager. The Compliance Manager can then determine if there has been any breach of regulations. Where this information related to children's care services, this information should also be shared with your Local Authority and Ofsted.

Local Healthwatch should also flag these concerns to Healthwatch England by email, letter or over the telephone. Local Healthwatch should state that you are escalating a quality or safety issue related to local services. The particular safety concern and the service provider should be clearly identified in your correspondence. This will enable Healthwatch England to check for relevant information that may be held by other local Healthwatch.