

Enter and View Policy

Introduction

This policy describes the arrangements for Healthwatch County Durham's Enter and View Authorised Representatives to enter and view premises providing health and/or social care services within County Durham for the purpose of observing services and service delivery. The group will observe and assess the nature and quality of services, obtain the views of people using those services, validate evidence already collected and gather information from staff, service users, carers and visitors and family members if present.

Healthwatch County Durham has the statutory power to enter and view where services are provided by:

- NHS Trusts
- NHS Foundation Trusts
- Durham County Council
- A person providing primary medical services (e.g. GPs)
- A person providing primary dental services (e.g. Dentists)
- A person providing primary ophthalmic services (e.g. Opticians)
- A person providing pharmaceutical services (e.g. Community Pharmacists)
- A person who owns or controls premises where ophthalmic and pharmaceutical services are provided
- Bodies or institutions which are contracted by Local Authorities or NHS trusts to provide health or social care services (eg. Adult social care home and day care centres)

Commissioners of services have a responsibility to ensure that any contracts with independent providers made after April 2013 allow Authorised Representatives to fulfil their enter and view duties.

Healthwatch County Durham and the Care Quality Commission (CQC) Healthwatch County Durham will liaise with the CQC, North Durham and Durham Dales, Easington and Sedgfield Clinical Commissioning Groups prior to any planned visits to ascertain whether a CQC inspection is imminent or has been recently completed. They will also discuss with CQC the reasons for the planned visit.

This policy is divided into two sections:

1. Criteria for deciding upon, and arranging a visit.
2. Conduct during and after the visit.

This policy should be used in conjunction with policies and guidance on DBS (Disclosure and Barring Service), the Healthwatch County Durham Governance Documents, Enter and View Role Specification and Code of Conduct.

Criteria for deciding upon and arranging a visit

- The decision to carry out an Enter and View visit will be made following the identification of a trend: - three or more similar reported issues (good or bad) within a 3 month timescale, would be classed as a trend. Visits cannot be carried out in response to individual complaints, issues or concerns.
- An nominated lead from Healthwatch County Durham will prior to commencing any visit, introduce themselves to the management of premises to be visited, to build positive and constructive working relationships and explain its role and purpose.

Conflict of interest

During the planning stage Enter and View Authorised Representatives must declare if they are related to, or know any persons who either:

Work at the premises to be visited and/or is a patient or resident at the premises to be visited.

In these circumstances, consideration will be given to whether they will be part of the Enter & View team which conducts the visit.

This policy describes the circumstances under which Healthwatch County Durham may decide to invoke their statutory powers of enter and view:

- Healthwatch County Durham must be clear that, under the legislation, they have powers of entry to the premises to be visited, and must be clear which aspects of service delivery at that premises fall within their remit (see section below on exclusions).
- A letter or email announcing the visit must give the purpose for the visit and set out the practical arrangements, e.g. if a disabled parking place is required.
- Un-announced visits must be in response to a concern highlighted by the community, where an announced visit may prejudice the outcome for example reports of dirty premises, statistics showing high infection rates, or spot checks to review aspects of service delivery such as waiting times for clinic attendances. The rationale for undertaking such a visit must be documented by Healthwatch, along with the reason for not addressing the situation in another way.
- The duty of entry does not allow for un-announced visits which are not reasonable and proportionate, and the Healthwatch will run the risk of being refused entry on those grounds.

Healthwatch County Durham must establish a visiting code for unannounced visits, including a written rationale for its decision to visit. This should contain: the intelligence that has stimulated the visit and the purpose.

- Only Authorised Representatives may conduct enter and view visits. Healthwatch County Durham Enter and View Authorised Representatives have to meet criteria highlighted in the role description. Consideration should also be given to the selection of appropriate Enter and View team members in terms of equality and diversity, ethnicity etc.
- All authorised persons must be in receipt of a current DBS (Disclosure and Barring Service) check which satisfies Healthwatch County Durham's Board that they are a suitable person to carry out this activity.
- Each authorised person must be provided with written evidence of their right to enter and view, and produce this authorisation upon arrival at any premises
- Healthwatch County Durham makes publicly available a list of its authorised representatives on its website
- Visits should be arranged and confirmed in writing, agreeing date, time, specific service/premises areas to enter and view, and the names of the persons attending

Conduct before, during and after the visit

Healthwatch County Durham Enter & View Authorised Representatives must:

- Appoint a team leader and report writer.
- Gather any prior information such as existing visit reports, or information from other groups involved with the service premises. Healthwatch County Durham must have a clear view about the purpose of its visit, and be as informed as possible beforehand. Healthwatch County Durham may request reasonable information prior to the visit under the Freedom of Information Act.
- Upon arrival, Enter and View Authorised Representatives must:
 - make their presence known to the person they have arranged to meet, or to the most senior person on duty, and produce their written authorisation and ID.
 - Abide by any instruction given regarding privacy and dignity, health and safety and hygiene, and co-operate with requests from staff, service users and carers.
 - Ensure before and during the visit that it is understood that Healthwatch cannot deal with individual complaints, but that Enter and View Authorised Representatives can and should signpost any such requests or disclosures to the appropriate body.

- Maintain confidentiality of verbal and written information, including the identification of individuals, access to records, adherence to protocols concerning disclosure by patients, service users and carers, and whistle-blowing by staff, and care of notes concerning findings to be included in the report.
- Be aware of their obligations of disclosure regarding issues of child safety and vulnerable adults.
- Not be alone in private with a patient or service user, but remain in communal areas and work in pairs if asked to speak in confidence
- Avoid entering any non-communal areas such as bedrooms or staff quarters.
- Avoid commenting on personal equipment or belongings.
- Never give opinion or advice on specific care or treatment regimes to patients or service users, their relatives or carers. Any such queries must be referred to the staff in charge
- Work co-operatively with staff to maintain confidence in services, e.g. avoid criticism in front of service users, and save it for the de-brief before leaving and for the written report.
- Adhere to protocols concerning gifts, gratuities and benefits.
- Be as unobtrusive as possible and avoid disrupting routines or service delivery.
- Value people as individuals, and respect their wishes, e.g. to leave someone alone if asked to do so.

- Exhibit no discriminatory behaviour.
- Use a pro-forma or checklist to gather a comparable data set, plus any additional information pertinent to that visit.
- Inform the Healthwatch County Durham Board of Governors of any potential problems or conflict which may arise from the findings.
- Work together after the visit to de-brief and put together evidence based written feedback of their findings to the service provider visited.
- Provide feedback to Healthwatch County Durham Board, the service provider and service users of the findings. The report should be a balanced assessment of the service and may or may not contain recommendations. Reports may also, depending upon the issues identified, be sent to the Care Quality Commission, Durham County Council, Healthwatch England, NHS Commissioners, Overview and Scrutiny Committee and both Clinical Commissioning Groups.

Where recommendations are made, the service provider must respond within 20 working days of receipt of the report, both to acknowledge receipt and provide an explanation of any action it intends to take, or an explanation of why it does not intend to take action. Healthwatch County Durham can agree a longer timescale with the provider(s) if necessary-but in all cases providers must acknowledge receipt of the request to respond. There is no obligation on other recipients to respond. Healthwatch County Durham should, as an example of good practice, make the final report public.

What to do if a provider does not respond

Healthwatch County Durham will send a formal reminder of the requirement to respond. Where the provider is part of a larger organisation-for example, a care home that is part of a group-this reminder will also be copied to the head office. If a response is not received, Healthwatch county Durham will then notify the commissioner(s) of the service and/or the appropriate regulator(s)

Exclusions

Some exclusions to the statutory power to enter and view have been made. Healthwatch County Durham does not have the right to enter in the following circumstances:

- If the visit compromises either the effective provision of a service or the privacy or dignity of any person.
- If premises where the care is being provided is a person's own home (this does not mean that an Authorised Representative cannot enter when invited by residents, simply that there is no duty to allow them in)
- Premises or parts of premises used solely as accommodation for employees.
- Non-communal parts of care homes such as individual's bedrooms (unless specifically invited to enter by the resident).
- Where health and social care services are not provided at the premises (such as offices) or where they are not being provided at the time of the visit (when they are closed).
- Where the Authorised Representative cannot provide evidence that they are authorised.
- If, in the opinion of the service being visited, the Authorised Representative, in seeking to enter and view its premises, is not acting reasonably and proportionately.

Enter and View does not apply to the observing of any activities which relate to the provision of social care services inspected by OFSTED.

Healthwatch County Durham Enter and View
Volunteer Role Description and Specification

Purpose of the Role

An Authorised Representative is an individual member of Healthwatch County Durham who participates in Healthwatch's Enter & View activities. Enter and View visits are conducted by a group of trained volunteers who visit health and social care premises to observe and assess the service being provided; write a group report with suggestions for improvements which becomes a public document; follow-up suggested recommendations where necessary.

Key Tasks

All Authorised Representatives are required to undertake training in accordance with the Healthwatch training policy and are required to undergo this training prior to participating in the programme.

1. To prepare for group visits to health and social care services by researching and reading background information about the service being visited (eg CQC report website)
2. To take part in the visit looking at all aspects of the service provided, observing and noting relevant information, talking to staff, relatives and service users about the service. Visits are always undertaken as part of a team comprising at least 2 members, of whom one will take the role of team leader.
3. To contribute to the written report that is produced after the visit.
4. To take part in follow-up visits after an initial visit has taken place where significant recommendations were made.
5. To take part in training sessions relevant to the Enter and View programme.
6. To contribute to the development of the Enter and View programme.

Key Skills and Requirements for the Role

Healthwatch County Durham Enter and View Group members need to demonstrate the following:

1. Some knowledge and understanding of health and social service provision. This could be through working in a particular service area or a general understanding/experience as a carer or service user, or from an interest in this area.
2. Commitment to promoting quality care in County Durham.
3. Good interpersonal skills with the ability to work within a team.
4. Good communication skills and the ability to talk and listen to people from all walks of life.
5. Understanding of the importance of confidentiality and ability to respect this at all times.
6. An ability to contribute to objective report writing.
7. The ability to travel around County Durham either individually or with support.
8. Willingness to undergo training relevant to Enter and View duties.

9. A flexible commitment to volunteering in this role.
10. Willingness to have their name published on the Healthwatch County Durham website as an Authorised Representative.
11. Willingness to undergo an enhanced DBS (previously CRB) background check.
12. That they live or work in County Durham or surrounding areas and are 18 years and over.

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