

Healthwatch West Berkshire
Guidance on Escalating Concerns

*****ABSTRACT*****

September 2015

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1. Executive Summary

- 1.1 This document is a redraft of the Healthwatch East Sussex policy, “Guidance on Escalating Concerns”.
- 1.2 Once agreed by the Healthwatch West Berkshire Board, the policy will be reviewed 12 months from September 2015.

2. Background

- 2.1 One of the main purposes of Healthwatch West Berkshire is to gather people’s views and experiences in relation to whether services could, should or ought to be improved.
- 2.2 Healthwatch West Berkshire 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.
- 2.3 If this information is appropriately shared with health and social care providers, it will lead to better, safer, equitable and compassionate services that treat people with dignity and respect. The changes required need to be evidence based so that local people’s views can be shared with providers and partners to enable these changes to happen.
- 2.4 The aim of this guidance is to ensure that safe and uniform standards of reporting on the quality of health and social care providers are delivered.
- 2.5 Healthwatch West Berkshire operates a ‘no surprises’ approach to the concerns it raises. However, Healthwatch West Berkshire acknowledges there may be special instances, where for legitimate safeguarding reasons; it may be required to escalate concerns directly to Healthwatch England or the Care Quality Commission, bypassing the provider/ commissioner escalation protocols identified in this document.

3. Sharing people’s views and experiences of health and social care with Healthwatch England

- 3.1 Healthwatch West Berkshire and 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, surveys and Enter & View reports, etc.) captured by Healthwatch West Berkshire will be shared with Healthwatch England, using the Hub to record the information in a manner in which the service user can not be identified in this document.

3.2 Based on this rich source of intelligence provided by local Healthwatch organisations, 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.

4. Highlighting health and care concerns for consideration by Healthwatch England

- 4.1 Local Healthwatch responses to adult and children's safeguarding alerts (Section 7) and safety concerns relating to services providing health and care (Section 8) are set out in subsequent sections.
- 4.2 This section focuses on how Healthwatch West Berkshire can raise concerns and trends to Healthwatch England for consideration. It also sets out how Healthwatch England will respond to concerns brought to our attention by local Healthwatch organisations:
- 4.3 The concern or area of concern should be raised with Healthwatch England by email, letter or over the telephone. Healthwatch West Berkshire will make it clear to Healthwatch England the concern they are escalating and would like Healthwatch England to consider undertaking a report on. The particular concern Healthwatch West Berkshire wishes to be investigated and reported on should be clearly identified.
- 4.4 All concerns flagged for consideration will be acknowledged by Healthwatch England within 10 working days of being raised.
- 4.5 Healthwatch England will develop a set of key principles which will guide Healthwatch West Berkshire in evaluating each concern. Once fully developed, these principles will be published. Concerns, trends or areas of concern identified by this process will be passed on to the Healthwatch England Committee for consideration.
- 4.6 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.
- 4.7 Healthwatch England will communicate decisions and rationale in writing to the originating local Healthwatch with any recommendations for alternative course of action where appropriate.

- 4.8 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.

5. Care Quality Commission

- 5.1 This section sets out how Healthwatch West Berkshire works with the Care Quality Commission (CQC) to ensure that collectively we are able to develop a comprehensive picture of the state of care. It aims to ensure that Healthwatch West Berkshire does not miss opportunities to identify poor care and that it sheds light on failings affecting people using health and social care services.
- 5.2 Healthwatch West Berkshire has made a commitment to build an effective relationship with our local CQC manager for the Primary Care Directorate. This will enable Healthwatch West Berkshire to routinely share appropriate feedback and for the CQC to inform Healthwatch West Berkshire about its inspection findings.
- 5.3 Healthwatch England expects the CQC to provide information to local Healthwatch about working with local inspection teams.

6. Working with local commissioners and providers

- 6.1 Healthwatch England has encouraged local Healthwatch to share relevant feedback they have received from the public with local providers and commissioners of services. This should help to resolve concerns as quickly as possible, reducing the risk of these concerns escalating into significant problems and leading to improved services.
- 6.2 Whilst undertaking its functions, Healthwatch may become aware of concerns, comments and complaints that may require escalation to agencies to which the service provider is accountable. Failure to escalate would be a failure to effectively carry out our function as Healthwatch West Berkshire.
- 6.3 This policy and procedure provides clarity to the public, providers and stakeholders as to when and how Healthwatch West Berkshire will escalate concerns/ complaints/ comments.
- 6.4 The term 'provider' refers to (but not exhaustively):
- Any organisation which is commissioned to deliver health or social care services by the relevant commissioning body;
 - Any health or social care which is delivered by the relevant commissioning body to local citizens;

- Any organisation which is commissioned to deliver health or social care services by the local Clinical Commissioning Group;
- Any organisation which is commissioned to deliver health or social care services in the area covered by Healthwatch, by NHS England; and
- Any organisation which delivers health or social care services, which is regulated by OFSTED, Monitor or the Care Quality Commission.

7. Safeguarding

- 7.1 There will be times where Healthwatch West Berkshire identifies a 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 West Berkshire County Council Safeguarding process; and where appropriate the police. This applies to both Adult and Children's Safeguarding concerns.
- 7.2 All potential safeguarding concerns should be referred to the following:
- For adults call 01635 519056 or email Safeguardingadults@westberks.gov.uk
For children call 01635 503090 or email child@westberks.gov.uk.
Local Authority Designated Officers are Juliet Penley (01635 42400), Karen Pottinger (0118 916 7770)
For out of hours for both adults and children call 01344 786543 or email edt@bracknell-forest.gov.uk
- 7.3 Healthwatch West Berkshire should also share Children's Safeguarding concerns with Ofsted if the concern relates to a social care setting; and may share their concern with the Care Quality Commission (CQC) if the concern relates to health setting.
- 7.4 If Healthwatch England becomes aware of Adult or Children's Safeguarding concerns they will also independently escalate the safeguarding concern to the CQC or the Local Authority's Safeguarding Team as appropriate.
- 7.5 Healthwatch West Berkshire will, on a quarterly basis, provide Healthwatch England a summary of all concerns raised and the number of adult and children's safeguarding referrals made to Local Authorities. This will also be shared with the Healthwatch Advisory Group.
- 7.6 If the safeguarding concern is not resolved to our satisfaction, Healthwatch West Berkshire will escalate them using the process below.

8. Escalation process

- 8.1 Levels of Escalation – Healthwatch West Berkshire is a public facing service; it is open to the public to comment and raise concerns about health and social services.
- 8.2 The public can provide comments and concerns with anonymity, using many accessible routes. One comment on its own may not indicate risk or the quality of a service, however, many comments of the same nature or with regard to the same service would.
- 8.3 The Healthwatch West Berkshire priorities framework process, which includes the use of external data and internal data, will support Healthwatch West Berkshire to determine the action required. The criteria below indicate what could be an indicator of risk, poor or good quality service, along with timeframes for services to take action.

None	* Individual concerns/ comments have arisen, which are currently forming trends or requiring action.
Low	* Trend analysis indicates that comments require action from a service provider * Trend analysis indicates that comments recorded may impact on a provider's reputation
Moderate	* Trend analysis, or an individual concern, indicates timely action is required from a service provider * Trend analysis indicates a concern where there is a barrier to a service provider solution, due to the local or national commissioning arrangements that are in place
High	* There is or will be only practical choice and control over the immediate environment and/ or * Abuse or neglect has historically occurred within the service: and/ or * A significant number of comments raised in a short period of time * Abuse or neglect may have occurred but requires further information
Urgent	* There is or will be an immediate risk to the safety or wellbeing of people using services and/ or * Life is or will be threatened and/ or * There is or will be little or no control over the vital aspects of immediate environment and /or * Unreported serious abuse or neglect has or will occur

- 8.4 The escalation process chart should be followed once the level of concern has been determined (See section 10).
- 8.5 With low or medium concerns it may still be appropriate to discuss themes and trends with the local authority to identify if there are any safeguarding concerns.
- 8.6 If Healthwatch West Berkshire is not satisfied with the provider's response, then the organisation's complaints procedure should be followed. The concerns should also be 'flagged' with Healthwatch England as a safeguarding concern by email, letter or over the telephone. Clearly stating that Healthwatch West Berkshire will escalate a safeguarding concern under the Local Safeguarding Authority, the police or the Care Quality Commission's complaint procedure.
- 8.7 An Enter and View visit should be considered at the 'low level' of the escalation process. This would be appropriate when Healthwatch West Berkshire requires further information from the people using a Health or Social Care Service and / or to satisfy Healthwatch West Berkshire that a change has been made following concerns they have raised.
- 8.8 Under its statutory rights, Healthwatch West Berkshire may choose to implement Enter and View at any point of the process. A decision that is made solely by Healthwatch West Berkshire.
- 8.9 If the concern affects other areas of the country, the respective local Healthwatch must be contacted and informed of the concern and actions taken; more evidence can be used to determine the prevalence of the concern.
- 8.10 Refer to local cross boundary arrangements and the data protection act for further guidance.

9. Quality and safety concerns related to local services

- 9.1 Healthwatch West Berkshire may have reason to be concerned about the quality and safety of a service because of feedback from the public including client's, carers and family members.
- 9.2 This information may not amount to a safeguarding concern where an immediate risk is posed to an individual but is of sufficient concern that it must be acted on appropriately.
- 9.3 In these instances, as part of our on-going local CQC relationship, Healthwatch West Berkshire will contact our * CQC manager for the Primary Care Directorate. The CQC manager for the

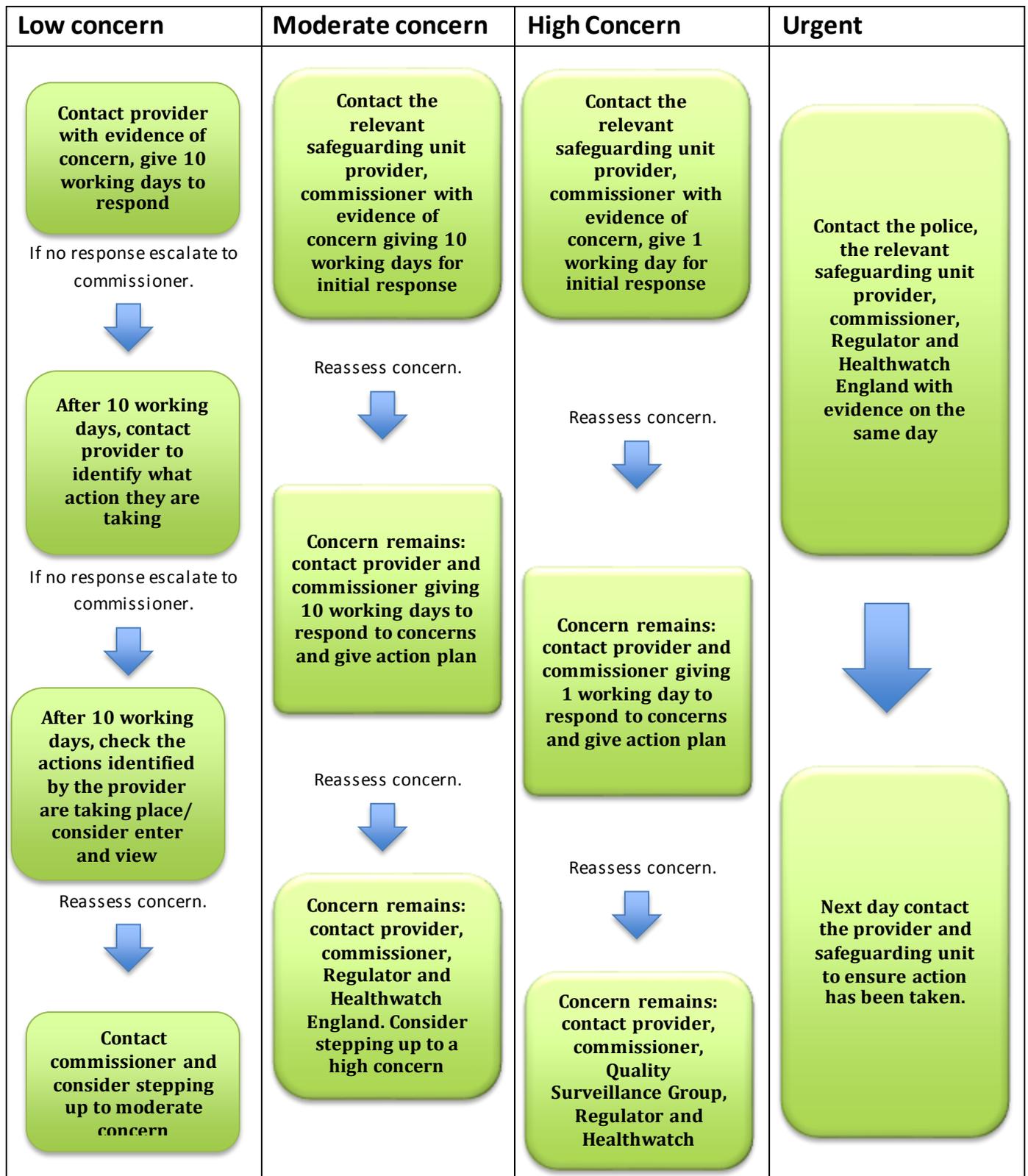
Primary Care Directorate can then determine if there has been any breach of regulations. Where this information relates to children's care services, this information will also be shared with the Local Authority and Ofsted

** Other agencies may be contacted in line with Healthwatch West Berkshire Communications/ Information sharing protocols*

- 9.4 Healthwatch West Berkshire should also flag these concerns to Healthwatch England by email, letter or over the telephone, stating that we are escalating a quality or safety concern related to local services. The particular safety concern and the provider will be clearly identified in our correspondence. This will enable Healthwatch England to check for relevant information that may be held by other local Healthwatch.

See next sheet for section 10 – Escalation levels and process

10. Escalation Levels and process



11. Training and checks

11.1 It is essential that all staff and volunteers are suitably trained and have signed and dated written training record. As a minimum:

- All staff and volunteers to receive safeguarding children and vulnerable adults training
- All staff and volunteers to be made aware of this policy and procedure and how it impacts on their practice
- All staff and volunteers to be DBS checked (where relevant)
- All staff and volunteers to have adequate references to undertake their roles

12. References

12.1 Related policies and procedures

Policy	Lead Officer
Whistleblowing Policy	Andrew Sharp
Statement on healthcare employees blowing the whistle	Andrew Sharp
West Berkshire Safeguarding Adults Multi-agency Policy and Procedure	West Berkshire County Council

Date agreed: October 2015

Last Review Date: October 2015

Next Review Date: October 2016

Prepared by Andrew Sharp, Chief Officer West Berkshire Healthwatch

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