

Decision

making

guidance

December 2022

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

Policy Statement

Healthwatch West Berkshire makes its decisions in an open and transparent way and ensures the interests of the people of West Berkshire 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 West Berkshire

Relevant decisions

Regulation 40 requires Healthwatch West Berkshire 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 West Berkshire Advisory Board and ultimately The Advocacy People Board of Directors, 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 West Berkshire, 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 West Berkshire'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 Advisory Board of Healthwatch West Berkshire 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 West Berkshire is delivered by The Advocacy People, who ultimately hold accountability for the delivery of the contract. Under the joint Healthwatch West Berkshire/ The Advocacy People Governance Framework, delegated authority for decision making is given to the Healthwatch West Berkshire Advisory Board, whose membership comprises of volunteers who live in or have a vested interest in West Berkshire.

Involving lay persons or volunteers in such decisions

Healthwatch West Berkshire's Board is composed of lay persons (a person who is not a health or social care professional)/volunteers (a person who is not a paid employee of Healthwatch West Berkshire), The Chief Officer and the Admin and Digital Information Officer to offer administrative support to the Board. Healthwatch West Berkshire 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 West Berkshire is vast – it has a responsibility for health and social care services for all adults, children and young people in West Berkshire, 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, Healthwatch West Berkshire's 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 West Berkshire 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 West Berkshire 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 West Berkshire – so we aren't focusing on things that others can do more easily and effectively?
- Finally, the Board of Healthwatch West Berkshire 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 West Berkshire'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 West Berkshire 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 West Berkshire and West Berkshire Council (the Local Authority), it will be reported to the Local Authority and further action agreed between the Local Authority and Healthwatch West Berkshire.

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

Equality, Diversity and Inclusion statement

Healthwatch West Berkshire 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 West Berkshire 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 West Berkshire will review the effectiveness of the decision-making policy and procedures set out in this document every three 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 West Berkshire 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 West Berkshire undertakes to carry out the following procedures:

- Publish Healthwatch West Berkshire most up to date policy document on Healthwatch West Berkshire's website.
- Review and obtain Board approval to Healthwatch West Berkshire's decision-making policy every three years.

- Ensure all Healthwatch West Berkshire 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 West Berkshire website. Where decisions are made outside of board meetings, they will be ratified at the subsequent Board meeting.

Decision making policy and procedures	
Version	1.2
Author	Andrew Sharp
Approved by	Board of Healthwatch West Berkshire
Date approved	12 December 2022
Effective date	12 December 2022
Review date	30th October 2023