


Enter & View: Policy & Procedure

Policy Name: Enter & View Policy & procedure		Process/Category: Policy
Approving Authority:	Name:	Next Rev Date:
Chief Executive Officer	Tim Spilsbury	August 2022
Signature: 		

Enter & View

Introduction

This document describes the processes and arrangements for members of Your Voice in Health & Social Care (YVHSC) Enter and View Teams specifically attached to Healthwatch service provision and the statutory right to enter and view premises providing health and social care services within the borough for the purpose of observing services and service delivery.

In conjunction with the purpose of the visit and its aims; 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 both staff; services users and carers.

This document can be seen in conjunction with a separate document that has a diagram that clarifies the Enter & View Process.

What is Enter & View?

Enter and View' is the opportunity for Authorised Representatives:

- To go into health and social care premises to see and hear for themselves how services are provided
- To collect the views of service users (patients and residents) at the point of service delivery
- To collect the views of carers and relatives of service users
- To observe the nature and quality of services - observation involving all the senses
- To collate evidence-based findings
- To report findings and associated recommendations - good and bad - to providers, CQC, Local Authority's Oversight & Scrutiny Committee, Health & Wellbeing Board (where appropriate), NHS commissioners and quality assurers, Healthwatch England, the public and any other relevant partners
- To develop insights and recommendations across multiple visits to inform strategic decision making at local and national levels

Where does Enter & View Apply?

YVHSC Decision Making Policy sets out when/where

Enter & View activity will be carried out. Only Enter & View activities that have been authorised using the YVHSC Decision Making Policy will be permitted.

Legislation allows 'Enter and View' activity to be undertaken with regard to the following organisations or persons:

- NHS Trusts
- NHS Foundation Trusts
- Local Authorities
- a person providing primary medical services (e.g. GPs)
- a person providing primary dental services (i.e. dentists)
- a person providing primary ophthalmic services (i.e. 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 the NHS to provide health or care services (e.g. adult social care homes and day-care centres).

Exclusions - Where 'Enter and View' does not apply

The duty to allow entry does not apply in the following circumstances:

- if the visit compromises either the effective provision of a service or the privacy or dignity of any person
- if the 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 - it just means that there is no duty to allow them to enter)
- where the premises or parts of premises are used solely as accommodation for employees
- where the premises are non-communal parts of care homes
- 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 (for example when facilities and premises are closed)
- if, in the opinion of the provider of the service being visited, the authorised

representative, in seeking to 'Enter & View' its premises, is not acting reasonably and proportionately

- if the authorised representative does not provide evidence that he or she is authorised.

The duty does not apply to the observing of any activities which relate to the provision of social care services to children.

- Definition of 'reasonably' - to a moderate or acceptable degree; fairly
- Definition of 'proportionately' - whether the measure was necessary to achieve the desired objective and even if so, does the measure impose excessive burdens on the individual/body affected.

Who can carry out Enter & View?

Only Authorised Representatives may undertake 'Enter and View' and then only for the purpose of carrying out the activities authorised by the local Healthwatch they represent. Any local Healthwatch can - and should - be operating local recruitment and selection processes - based on its defined requirements, and you will need to be accepted through these local processes. Such processes may be impacted by:

- The Local Authority and/or
- Conditions of indemnity insurance.

Recruitment processes for Authorised Representatives may require that you undergo a criminal record check by the Disclosure and Barring Service - indeed Healthwatch England strongly recommend this checking. Where checking applies, a 'nominated person' of the local Healthwatch must consider, and be satisfied by, the certificate.

The local Healthwatch must make publicly available a comprehensive and up to date list of all of its Authorised Representatives.

Planned/announced visits as part of the YVHSC Work Plan

Prior to a visit, YVHSC will supply the provider of the service with the following information in writing:

1. Proposed date and time for the visit, along with an approximate duration.
2. The information that has prompted the visit excluding the source of the information.
3. The purpose of the visit.

4. The overall structure of the visit:

- Identifying staff and service users that the authorised representatives would like to meet.
- The number and nature of any discussions along with the identification of any special communication or access needs.
- The activities that the authorised representatives wish to observe.
- Whether the authorised representatives will be distributing leaflets or other information about YVHSC.
- Whether or not it would be beneficial for staff or service users to accompany the authorised representatives throughout the visit.
- The names of the authorised representatives conducting the visit.
- The identification that YVHSC authorised representatives will provide.
- Re-assurance that the draft findings will be shared with the provider of the service prior to being finalised and distributed more widely.
- Where appropriate, draft findings will also be shared with relevant parties whose information may have prompted the visit.

Unplanned/unannounced visits

The decision on when/how to conduct unannounced Enter & View activities is set out in YVHSC's Decision Making Policy.

Un-announced visits should not take place if any other approach could produce the information YVHSC is seeking. Un-announced visits must be in response to a concern highlighted by the community, such as 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 YVHSC, along with the reason for not addressing the situation in another way.

Where YVHSC decides it is necessary to conduct an unannounced visit, they agree to provide the information above upon arrival.

Conduct during and after the visit

Persons authorised to enter and view must:

- Gather any prior information such as past visit reports, or information from other groups involved with the service. YVHSC must have a clear view about the purpose of its visit, and be as informed as possible beforehand.
- YVHSC may request reasonable information prior to the visit under the Freedom of Information Act, whilst remaining aware of the burden it may be placing upon the service to research and provide this data. This could

include such statistical information as staffing levels, missed appointments, opening times etc.

- Upon arrival, Enter and View 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.
- 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 during and before the visit that it is understood that YVHSC cannot deal with individual complaints, but that YVHSC 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 to 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, but include it in the de-brief to the provider of the service before leaving and in 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.
- Do not behave in a discriminatory way.
- Inform the person they have arranged to meet, or to the most senior person on duty of their departure, and give verbal feedback as to the intended general content of the written report.
- Use a pro-forma or checklist to gather a comparable data set, plus any additional information pertinent to that visit. YVHSC may consider the evidence it wishes to gather in support of the annual health check when developing such checklists in order to build up a databank of evidence.

- Inform the YVHSC Enter & View Lead Officer 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 visited.
- Provide written report to appropriate authority other than that service as required
- Provide a written report to the YVHSC 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 Health & Wellbeing Board, the Overview and Scrutiny Committee and the commissioner of that service.

Essential Conduct and Behaviours

- Treat all people fairly and courteously, with sensitivity and respect
- Treat people with dignity, and respect their privacy
- Be as unobtrusive as possible
- Inform people, especially staff, of what you are doing at each stage of the visit
- Value people as individuals, respecting difference and diversity
- Exhibit no discriminatory behaviour
- Have respect for individual confidentiality, not disclosing confidential or sensitive information unless there is a genuine concern about the safety and wellbeing of a service user, or if the person consents to the sharing of information
- Co-operate with requests from staff, service users, carers and their families
- Comply with all operational health and safety requirements, and with 'house rules'
- Ensure that you do not interrupt the effective delivery of health and social care services
- Not make unreasonable requests or demands
- Recognise that the needs of people using and receiving health and social care services take priority over the visit

- Be guided by staff where operational constraints may deem visiting activities inappropriate or mean that staff are unable to meet the requests of the visiting team
- Dress appropriately, including consideration for infection control, e.g. no ties
- Do not accept gifts or hospitality
- Introduce yourself to people and gain an individual's agreement before talking to them.

Apply the Seven Principles of Public Life (the Nolan Principles):

- Selflessness
- Integrity
- Objectivity
- Accountability
- Openness
- Honesty
- Leadership.