

# Enter and View Policy

# Healthwatch Rutland Enter and View Policy

## What is Enter & View?

Enter and View is the opportunity for a team of “Authorised Representatives” to:

- Go into health and social care premises to see and hear how services are provided.
- Collect the views of service users at the point of service delivery.
- Collect the views of carers and relatives of service users.
- Collect the views of staff at point of service.
- Observe the nature and quality of services.
- Collate evidence based findings.
- Report findings and associated recommendations good and bad, together with provider’s responses to providers, CQC, Local Authority and NHS commissioners and quality assurers, Healthwatch England, and any other relevant partners and to make this report public.
- Develop insights and recommendations across multiple visits to inform strategic decision making at local and national levels.

## Key benefits of Enter and View

To encourage, support, recommend and influence service improvement by:

- Capturing and reflecting the views of service users.
- Offering service users an independent, trusted party (lay person) with whom they feel comfortable sharing experiences.
- Engaging carers and relatives.
- Identifying and sharing best practice.
- Ensuring quality of life matters are kept to the fore.
- Encouraging providers to engage with local Healthwatch as a critical friend outside of formal inspection.
- Gathering evidence at the point of service delivery to add to a wider understanding of how services are delivered to local people.
- Supporting the local Healthwatch remit to help ensure that the views and feedback from service users and carers play an integral part in local commissioning.
- Publicising the work of Healthwatch Rutland.

## Where does Enter & View Apply?

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

- NHS Trusts and NHS Foundation Trusts
- Local Authorities
- A person providing:
  - primary medical services,
  - primary dental services,
  - primary ophthalmic services,
  - pharmaceutical services.
- 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.

### **Where does 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 a resident).
- 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 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 representatives", in seeking to 'Enter and View' its premises, is not acting reasonably and proportionately.
- If the "Authorised representative" does not provide evidence that he or she is authorised by Healthwatch Rutland.
- The duty does not apply to the observing of any activities which relate to the provision of social care services to children.

### **Who can carry out Enter & View?**

- Only "Authorised Representatives" may undertake 'Enter and View' and then only as part of a team assembled for the purpose of carrying out the activities of Healthwatch Rutland.
- Any member of Healthwatch Rutland can apply to be an Enter and View "Authorised Representative" but will have to meet the required criteria.
- Recruitment processes for "Authorised Representatives" will require that individuals undergo a criminal record check by the Disclosure and Barring Service and complete both Enter and View and Safeguarding training.
- Healthwatch Rutland reserves the right to refuse or remove anyone as an "Authorised representative".
- Healthwatch Rutland will make publicly available a comprehensive and up to date list of all of its Authorised Representatives.

### **Enter and View legislative framework**

The above policy is based upon the Healthwatch England publication "Understanding the Legislation: An overview of the legal requirements for local Healthwatch" and the following statutory instruments.

The Local Authorities (Public Health Functions and entry to Premises by Local Healthwatch Representatives) Regulations 2013. (18 February 2013).

The arrangements to be made by Relevant Bodies in Respect of Local Healthwatch Regulations 2013. (28 March 2013).

The Local Authorities (Public Health Functions and entry to Premises by Local Healthwatch Representatives) Regulations 2013. (18 February 2013).

The arrangements to be made by Relevant Bodies in Respect of Local Healthwatch Regulations 2013. (28 March 2013).

Regulation 42, The NHS Bodies and Local Authorities (Partnership Arrangements, Care Trusts, Public Health and Local Healthwatch) Regulations 2012.

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