

Enter and view policy

Healthwatch Luton enter and view visitors (referred to as authorised representatives in the legislation -1) can visit and report on health and adult social care services used by the residents of Luton – this activity is known as ‘enter and view’.

This document details the arrangements for enter and view visitors (E&V visitors) to visit services, identify areas of good practice and make suggestions for services to be improved.

1. Purpose of enter and view visits

In carrying out these visits, Healthwatch Luton will collect empirical and anecdotal evidence in order to compile a report outlining recommendations for service improvement. These reports will be sent to commissioners, service providers and Overview and Scrutiny Committees (OSC) where relevant. Commissioners, service providers and OSCs have a duty to respond within 20 working days (2)

2. Duty to allow entry

Commissioners and providers of health and adult social care services have a duty to allow E&V visitors of Healthwatch Luton to enter and view partly or wholly publicly funded health and/or adult social care services provided by (3) :

- NHS Foundation Trusts
- Local Authorities services
- Primary medical services
- Primary dental services
- Primary ophthalmic services
- Pharmaceutical services
- Bodies or institutions which are contracted by local authorities or NHS Trusts, Clinical Commissioning Groups (CCGs) or the NHS Commissioning Board to provide care services (4).

Health and Adult social care services provided by the independent sector that have been contracted after 1 April 2008 also have a duty to allow E&V visitors to enter.

- (1) Section 225(5) Local Government and Public Involvement in Health Act 2007*
- (2) - Section 43(4)(a) The NHS Bodies and Local Authorities (Partnership Arrangements, Care Trusts, Public Health and Local Healthwatch) Regulations 2012*
- (3) - Section 222(4) Local Government and Public Involvement in Health Act 2007*
- (4) - Section 225(7) Local Government and Public Involvement in Health Act 2007*

The duty to allow entry does not apply in the following circumstances (5):

- a) The presence of an E&V visitor would compromise the care, privacy or dignity of the patient
- b) Where care is being provided in the person's own home (unless specifically invited to enter by the resident/occupier)
- c) To premises or parts of premises that are used as accommodation for staff
- d) To non-communal parts of the premises (6) such as individual's bedrooms (unless specifically invited to enter by the resident/occupier)
- e) Parts of the premises where care is not provided
- f) Where the E&V visitor is deemed to be behaving inappropriately by the service provider
- g) Where the E&V visitor cannot provide evidence of his or her right to enter and view

3. Enter and view procedures

Procedures for recruitment

Healthwatch Luton will recruit people who have the ability to either plan, visit or write reports. Healthwatch Luton aims to have a diverse group of E&V visitors who will fulfil these requirements collectively. Healthwatch Luton is committed to equal opportunities and has put mechanisms in place to support this (7).

Existing members of Healthwatch Luton are welcome to apply for a role on the Enter and View Select Group. To encourage wider participation the role will be advertised beyond the Healthwatch Luton membership, however, individuals must consent to becoming a Healthwatch Luton member in order to be eligible.

Application stage

1. Interested applicants will be sent an application form and monitoring form.
2. Two references will be requested. Referees can be friends or colleagues
3. Referees will be contacted by post and/or email and will be collected during the recruitment process

(5) The National Centre for Involvement Code of Conduct relating to LINKs: Visits to enter and view services: page 5

(6) National Health Service, Duty on Service Providers to Allow Entry, Statutory Regulations 2008 No. 915

(7) See Healthwatch Luton Equality and Diversity Policy 2013

Informal interview and selection

1. Informal interviews will be conducted by a panel of three people. The panel must consist of at least one Healthwatch Luton staff member. Other panel members must be existing Healthwatch Luton members that must be familiar with the:

- a) Healthwatch Luton Enter and View policy
- b) Healthwatch Luton Enter and View Code of Conduct and
- c) Healthwatch Luton Equality and Diversity policy

2. In instances where there are a large number of applications, the Healthwatch Luton Board will short-list applications according to the relevant role specifications

3. Short-listed candidates will be sent the date and time of the informal interview, along with a series of expected questions

4. Successful applicants will be contacted in writing to inform them of their success and mandatory training dates.

5. Successful applicants will only be eligible to participate in Enter and View visits on the conditions of;

- a) Successfully completing all mandatory training
- b) All enhanced Disclosure and Barring Checks are complete

4. Training

All Enter and View visitors must attend the training modules listed below. Healthwatch Luton will meet all costs of the training, including out of pocket expenses incurred by the trainees (8).

Module 1: Understanding the role of an E&V visitor

Learning objectives:

- What is Healthwatch Luton?
 - What is the purpose and role of an E&V visitor?
 - What services can an E&V visitor enter?
 - Enter and View Code of Conduct
 - Principles of Public Life (Nolan Principles)
 - Confidentiality
 - Enter and view etiquette and guidance
- (8) *In accordance with the Healthwatch Luton Members Expenses Policy*

Module 2: Visits

Learning objectives:

- To know how to plan a visit and write the report
- To learn methods of dealing with difficult situations

Module 3: Equality and diversity

- To understand the importance of equality and diversity

Module 4: Safeguarding vulnerable adults' level 1 (external) Module 5:

Safeguarding children foundation module (external)

Modules 1, 2 and 3 will be the equivalent of two full days of training provided by

Healthwatch Luton and/or relevant external providers.

Module 4 will take half a day and will be provided by Luton Borough Council's safeguarding adults unit.

Module 5 will take half a day and will be provided by Luton's Local Safeguarding Children Board.



Upon the completion of all training and on receipt of approved disclosure and barring checks, members will be issued an official Healthwatch Luton ID card with their name, picture and role outlined.

Details of the Enter and View Select Group will also be published on the Healthwatch Luton website and will be included in the annual report. This is to promote openness and transparency and to provide service providers with an up to date list of authorised individuals. The pictures for the ID card and website will be obtained during the training with a digital camera.

Healthwatch Luton Enter and View ID cards can only be used on authorised official Healthwatch Luton work plan items (9).

(9) Failure to adhere to this may result in the initiation of the Healthwatch Luton code of conduct process and may lead to termination of Healthwatch Luton membership

5. Procedures for visits

All visits will be planned and arranged through the Enter and View Select Group. Visits will never be conducted on the basis of an individual complaint (10).

Visit Triggers

A proposal to conduct an Enter and View visit in most cases will be in response to credible evidence identified by the following:

- a) Local Authority inspection reports
- b) CQC inspection reports
- c) Lack of recent inspections
- d) Safeguarding alerts – Safeguarding of Vulnerable Adults (SOVA) board & Luton's Local Safeguarding Children Board (LLSCB)
- e) A trend* of service user/family/carer/local community concerns or complaints
- f) Through information received such as Local Authority Complaints data and PALS complaints data

The Enter and View Select Group can initiate an Enter and View visit based on its discretion to any service provider, providing a clear rationale can be agreed upon.

*A Trend will be more than one feedback on the same service with the same feedback. For instance, we may receive multiple feedbacks on the hospital, but if they all mention one aspect, such as dignity this will be seen as a trend. These trends are discussed in the Intelligence Fed and Enter and View workstreams before an Enter and View will be launched.

5. Announced visits

Before an announced enter and view visit the service provider will receive the following information from Healthwatch Luton in writing: a)

A suggested date, time and approximate duration of the visit

b) The names of the E&V visitors and staff

c) The purpose of the visit

d) The visit schedule

e) Who the E&V visitors would like to meet (if relevant)

f) Activities the E&V visitors want to observe (if relevant)

g) Notification that the report will be shared with the service provider for checking of factual accuracy prior to publication

h) An offer of a pre-meeting between the service provider and E&V visit panel for familiarisation and;

If the enter and view select group consider it appropriate, a request will be made for:

- Health and safety information
- Fire safety information
- Accessibility of the premises
- Any other policies that will assist the enter and view visit

(10) Unless the Enter and View select group perceives the individual complaint as so serious that it demands further action

6. Unannounced Visits

Where appropriate, the enter and view select group may conduct unannounced visits to any service partly or wholly publicly funded unless

- a) The unannounced nature of the visit will cause distress to service user
- b) The unannounced nature of the visit will severely disrupt services

7. Conducting a visit

Planning

- a) The Healthwatch Luton enter and view select group must have a clear view about the purpose of its visit and be as informed as possible beforehand. Visit planning will start with background research which may include; looking at old inspection/visit reports, talking to groups involved with the service and sending a question and answer pro-forma to service users.
- b) Information may be requested under the Freedom of Information Act such as statistical information on missed appointments, staffing levels, complaints etc
- c) Questions to be asked and visit audit tools will be written based on this research including structured, semi structured or unstructured interview tools
- d) An E&V visit team must include at least one Healthwatch Luton staff member

Conducting the visit

- e) The E&V visit panel will have a pre-visit briefing before the visit
- f) The Healthwatch Luton Staff member will announce the arrival of the enter and view team to the named contact or a senior member of staff, make introductions and explain the process. The E&V visitors must display their ID cards at all times.
- g) The E&V visit panel can choose to talk to the service users and providers more informally after asking the pre-planned questions (if appropriate)

- h) The E&V visit panel may quietly observe the delivery of services as planned and agreed by the service provider
- i) Where appropriate, a post-visit debrief will take place between the enter and view visiting team and service provider
- j) At the end of the visit a pro forma will be made available for the service provider to assess and/or comment on their satisfaction around how the enter and view was conducted. Questions should include, “Are you satisfied with how the visit has been conducted?”

8. Enter and View Code of Conduct

While visiting, E&V visitors must:

- a) Abide by the Seven Principles of Public Life (Nolan Principles)
- b) Exhibit no discriminatory behaviour
- c) Not behave as if they are carrying out a formal inspection or be overly critical in front of service users
- d) Inform the service provider of the visit schedule
- e) Have their E&V visitor ID card visible at all times
- f) Treat staff, service users, residents, patients, carers and family members with respect at all times and cooperate with any reasonable requests in line with operational or health and safety requirements
- g) Bear in mind the needs of service users, residents and patients and not compromise their care
- h) Be guided by staff where operational constraints may deem visiting activities inappropriate
- i) Not put themselves in the position of being alone with a patient or service user and remain in communal areas. If someone wishes to speak to an E&V visitor in confidence it must occur in a public setting where they are visible to other staff, service users and volunteers
- j) Not enter private areas (for example personal rooms or bedrooms) or staff rooms unless given permission by the resident/occupier. If permission is given; the E&V visitor must not enter alone, and the room door must remain open at all times
- k) Respect the confidentiality of any information and not disclose this unless there is an urgent concern about the safety and wellbeing of a user, resident or patient in accordance with the Local Authority’s safeguarding procedure

- l) Be aware of how to deal with the issues regarding the safeguarding of vulnerable adults and children
- m) Never give advice on the delivery of medicine or care to anyone.
Giving any form of clinical advice should be avoided at all times
- n) Be aware that not all users, their family or carers may want to give their views and react appropriately to this (for example, do not push for their opinion)
- o) Make sure all notes collected are anonymous and shredded after the report has been ratified by the board
- p) Dress appropriately
- q) Authorised representatives are the only people allowed in Healthwatch Luton to carry out an Enter and View. Authorised representatives have been trained in Enter and View from Healthwatch England, have an updated DBS, and Safeguarding training. If Champions and Board members wish to attend, they may as authorised visitors, but will not be able to be left alone with Enter and View clients.

Should any of the above be breached the visit may be stopped or the E&V visitor could be refused entry by the service provider and/or be suspended by Healthwatch Luton.

Examples of where this could happen include:

- If an E&V visitor compromises the service received, privacy or dignity of any person (such as being present when someone is being washed or dressed, disrupting a consultation, holding up the serving of meals or disrupting medication delivery)
- If the E&V visitors make repeated visits or present a large number of visitors at a small facility
- If an E&V visitor visits premises when not asked to do so by Healthwatch Luton
- If an E&V visitor behaves in a disrespectful manner or does not respond to the requests of staff, service users, patients or residents
- If an E&V visitor cannot present his or her E&V visitor ID
- If an E&V visitor purposely or recklessly enters private areas or breaches confidentiality

9. Stopping the visit

If at any time serious malpractice is observed, Healthwatch Luton staff must be informed immediately in order to suspend the visit with immediate effect. The E&V visit select group, in collaboration with the Healthwatch Luton staff, will reconvene immediately or at the earliest available opportunity to address how to manage this.

If something untoward occurs during the visit (for example, an emergency) and the E&V visit team has doubts as to whether it should continue, Healthwatch Luton staff should be notified immediately.

10. Dealing with visit cancellations

If an E&V visitor cannot attend the visit, then they must notify Healthwatch Luton staff as soon as possible.

11. Service provider cancellation

If a service provider has to cancel the visit, they must inform Healthwatch Luton as soon as possible and follow this up in writing clearly stating the reasons for the cancellation.

If the service provider cancels often (more than 3 times) it will be formally investigated, and the relevant commissioners and/or service manager/directors will be notified.

12. Report writing

- a) All written reports will be drafted in an agreed format in no longer than 21 working days from the date of the visit. The report will be clear, concise and free from jargon.
- b) The report should be a balanced assessment of the visit.
- c) The draft visit report must be agreed by the enter and view select group and Healthwatch Luton Board prior to circulation.

13. Report Publication

Prior to publication the report will be circulated as a confidential draft to the service provider to check for factual accuracy. The service provider



must respond within 20 working days (11). If no response is received within this time Healthwatch Luton will conclude that the report is factually accurate.

If the service provider does submit comments or requests for amendments within 20 working days of receiving the draft report, the

11 - The National Centre for Involvement Code of Conduct relating to LINKs: Visits to enter and view services: Page 12

Enter and View select panel will carefully consider whether to amend the report. The enter and view select group may request additional information from the service provider if it is deemed appropriate.

If any changes or amendments are made to the visit report due to comments made from a service provider, the service provider will be informed in writing and the report will be presented to the Healthwatch Luton Board for approval.

Once the report has been approved it will be immediately circulated to all relevant commissioners, service providers/managers, overview and scrutiny committee, community organisations the Care Quality Commission and Healthwatch England. The report will be available to the public from the Healthwatch Luton website and hard copies will be made available upon request.

14. Response to the published report

- a) The service provider has a duty to respond to the report within 20 working days
- b) If no response is received then the matter will be referred to the relevant body who should respond within 20 working days

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