

# Essex & Southend LINK

**POLICY:** Enter & View

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**APPROVED BY:** Countywide Coordinating Group (Jan 09)

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# Enter & View Policy

## **BACKGROUND**

Essex and Southend LINK was set-up in April 2008 to give local communities a stronger voice in how health and social care services are delivered. Through our independent networks of local people and groups, we find out what people want, investigate issues and do what we can to help improve services and promote good practice. The role of a LINK is to:

- encourage and support more people to get involved in shaping local care services; from helping to decide what services should be commissioned, to influencing the way they are run;
- actively canvas every section of the community for their views and experiences of local care services;
- provide the community with a mechanism for monitoring and reviewing local care services and the ability to hold them to account;
- tell those who commission, run and scrutinise local care services, what local people have recommended to help improve services.

## **INTRODUCTION**

To enable us to fulfill our LINKs role and to gather the information we need about services, there will be times when it is appropriate for us to see and hear for ourselves how these services are provided. That is why approved members of LINKs will become “authorised representatives” of LINKs to enter premises that providers own or control (with some exceptions), to observe the nature and quality of services of:

- NHS Trusts
- NHS Foundation Trusts
- NHS Organisations
- Primary Care Trusts
- Local Authorities
- Primary medical services (e.g. GPs)
- Primary dental services (i.e. dentists)
- Primary ophthalmic services (i.e. opticians)
- Pharmaceutical services (e.g. community pharmacists)
- Bodies or institutions which are contracted by Local Authorities or NHS Trusts, Primary Care Trusts or Strategic Health Authorities to provide care services.

## **SCOPE OF POLICY**

This policy is intended to cover the “Enter and View” role of the LINK. This includes detailing the remit responsibility and what this means in practice as we seek expressions of interest, agree nominations and then prepare all 20 LINK members to fulfil their responsibilities as authorised representatives.

The policy is geared toward preparing and developing the infrastructure to enable the effective implementation of this new role. It will be necessary to revise and update this policy as progress is made.

## **WHO FROM THE LINK CAN CONDUCT A VISIT?**

The Essex and Southend LINK can nominate up to twenty members who are authorised to enter, view and observe health and social care activities being carried out – these individuals are referred to as ‘authorised representatives’.

These authorised representatives only enter and view premises for the purpose of carrying out the activities of the LINK they represent. These representatives will each have:

- undergone a Criminal Records Bureau check, in line with section 113A of the Police Act 1997, and have a certificate to verify this;
- and
- had a ‘nominated person’ of the LINK consider the certificate and confirm they are satisfied that the person is suitable to carry out visits.

The LINK will have an agreed code of practice for recruiting representatives. This will include seeking expressions of interest from members, processing these to ensure authorised representatives are nominated fairly and equitably and ensuring that representatives possess qualities which help to ensure proficiency in conducting visits. For example, people should demonstrate that they have the ability to listen, that they are sensitive to people’s feelings, and are observant, patient and respectful.

A fully comprehensive list of all authorised representatives will be kept up to date and will be available on request from either of the two Essex and Southend LINK Offices. This information will be provided to all relevant providers of health and social care.

An “Enter & View” committee of all representatives will be convened and serviced by a member of LINK staff and will be Chaired by an independent member of the Countywide Group. A rolling programme of support and training delivered to ensure good practice and working arrangements in accordance with all related guidance and legal requirements.

### **IN WHAT CIRCUMSTANCES CAN AN AUTHORISED REPRESENTATIVE MAKE A VISIT?**

Authorised representatives will be required to 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 staff, services users and carers.

Providers of health and social care services, with certain exemptions, must allow authorised representatives of LINKs to enter premises that they own or control to observe the services that are being provided. This includes commissioned services delivered by the independent sector.

### **WHEN ARE SERVICES EXCLUDED FROM THIS PROVISION?**

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

- in the provision of social care services to children.
- 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 and view its premises, is not acting reasonably and proportionately;
- if the authorised representative does not provide evidence that he or she is authorised in accordance with Regulation 4 of the LINKs (Duty of Services-Providers to Allow Entry) Regulations 2008.

### **WORK OF THE “ENTER AND VIEW” COMMITTEE**

Advisory guidance is available to the LINK regarding the role and responsibilities of authorised representatives including a code of practice which promotes the importance of good practice and details the legal responsibilities. A priority of the Committee will be to draft the following procedures with the support of LINK staff including:

1. A guide for preparing for an “Enter & View” visit
2. A process for announced and unannounced visits
3. Organising representative ID arrangements
4. Production of an explanatory leaflet which includes contact details
5. Provision of provider information
6. Production of a pre-visit checklist
7. Visit template – detailing aims/objectives of visit
8. Develop reporting, monitoring and evaluation arrangements

### **PROVISIONAL “ENTER AND VIEW” COMMITTEE**

Due to the importance of this responsible role and the need to progress the necessary infrastructure that must be in place, a provisional committee will be convened with the following key tasks to:

- devise and agree recruitment arrangements
- draft and agree the job specification/description
- devise and agree advertising arrangements
- Consider the tasks of the “Enter and View Committee” 1-8 and agree an action plan

It is recommended that membership of this committee will not include those likely to apply to become authorised representatives.



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