Enter and View Visit Protocol:

Healthwatch Kingston upon Thames

**Background**

# Section 221 of the Local Government and Public Involvement in Health Act 2007 amended by Statutory Instrument Number 3094 of 2012 allows for authorised Healthwatch representatives to undertake visits of premises of Health and Adult Social Care providers within Local Authority areas. These visits are described as "to enter, view and observe". The Regulations make the following stipulations:

* Healthwatch Kingston has an agreed and published "visit Protocol"
* Healthwatch will appoint “Authorised Representatives" who will conduct visits on behalf of Healthwatch Kingston upon Thames.
* Healthwatch may not undertake visits of excluded premises e.g. parts of a care home, which are not communal areas, or premises which are occupied by one or more persons as their home. Unless the Healthwatch Enter and View visiting team of “Authorised Representatives” are invited in by the resident and only if there are two members of the team available to enter and observe simultaneously.
* A service provider may refuse a visit if the purpose of the visit is to view excluded premises or to observe excluded activities. A visit may also be refused if it would compromise the effective provision of care services or the privacy or dignity of any person.
* "Authorised Representatives" must obtain a criminal records certificate (this is called Disclosure and Barring Service (DBS) check) under section 113A of the Police Act 1997(a).
* A person nominated by Healthwatch Kingston upon Thames will satisfy themselves that the prospective representatives are "suitable for the purposes entering and viewing, and observing the carrying-on of activities on, premises owned or controlled by a service-provider".
* Where a report or recommendation is made as a result of a Healthwatch Kingston upon Thames visit, the Service Provider(s) must, within 20 working days, acknowledge in writing receipt of the report and provide an explanation of any action the relevant service may take in respect of the report or an explanation of why no action will be taken.
* All visits undertaken on behalf of Healthwatch Kingston upon Thames must fully comply with the guidance.
* All visits undertaken on behalf of Healthwatch Kingston upon Thames must be agreed and authorised in advance (on behalf of the Healthwatch Kingston upon Thames Board) by the Chief Executive Officer, or Deputy Chief Officer in their absence.
* A visit report must be produced within 10 working days of the visit detailing any observations or recommendations made by the "authorised individuals". (Service providers must acknowledge and respond to any visit report within 20 working days of receipt).
* The Chief Executive Officer of Healthwatch Kingston upon Thames (on behalf of the Board) will nominate up to a maximum of 50 Healthwatch Kingston representatives to become "authorised individuals" to conduct any visits on behalf of the Healthwatch Kingston upon Thames.
* “Authorised Representatives” will agree to undertake training to help them carry out their visit duties in an effective manner. The lead Healthwatch staff member will arrange relevant training and development opportunities.
* The Healthwatch Kingston upon Thames staff team will undertake "DBS" checks for all authorised individuals, at no cost to the individual.
* The lead Healthwatch staff member will act as the "nominated person" on behalf of Healthwatch Kingston upon Thames to satisfy themselves that the prospective representatives are "suitable for the purposes of entering and viewing, and observing the carrying- on of activities on, premises owned or controlled by a services-provider".
* The lead Healthwatch Kingston staff member will maintain and update the Healthwatch Kingston Enter and View “Authorised Representative” Database and will issue all “Authorised Representatives” with written evidence of that individual's authorisation.
* For member safety and security any visit must be made by at least two Healthwatch Kingston upon Thames “Authorised Representatives”. It is recommended that the maximum number of “Authorised Representatives” on any one visit is 6 (at any one time), unless circumstances and the type of visit dictate otherwise.
* If an “Authorised Representative” does not feel well on the day of the visit, they should refrain from taking part and inform the lead Healthwatch staff member.
* The lead Healthwatch Kingston staff member will conduct a health and safety risk assessment with the Service Provider(s) prior to any Enter and View visit.
* At all times when conducting visits “Authorised Representatives” must comply with the Healthwatch Kingston upon Thams Code of Conduct (including Confidentiality), Safeguarding, Equality, Diversity and Inclusion policies and procedures. All other relevant P&P’s can be found on the [Healthwatch Kingston website](https://www.healthwatchkingston.org.uk/advice-and-information/2024-02-14/all-about-enter-and-view)
* At all times during Enter and View visits, “Authorised Representatives” will respect the privacy and dignity of patients, residents, carers, staff and other members of the public.
* Any contravention of this protocol will be dealt with via Healthwatch Kingston upon Thames Policies and Procedures.
* The lead Healthwatch Kingston staff member will provide support and direction in organising and conducting all Enter and View visits and producing the visit reports and recommendations (as required).

**Document Control Sheet**

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