

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:

1. Healthwatch Kingston upon Thames (HWK) has agreed and published an Enter and View visit Protocol.
2. HWK will appoint Enter and View authorised representatives who will conduct visits on behalf of HWK.
3. All HWK Enter and View visits must be authorised by the HWK Board.
4. HWK 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 HWK Enter and View visiting team of authorised representatives are invited in by the resident and only if there are two members of the visiting team available to enter and observe simultaneously.
5. A service provider may refuse a visit if the purpose of the visit is to view excluded premises, to observe excluded activities, or observe excluded services. A visit may also be refused if it would compromise the effective provision of care services or the privacy or dignity of any person.
6. Authorised Representatives must obtain a criminal records certificate, called Disclosure and Barring Service (DBS) check under [section 113A of the Police Act 1997\(a\)](#).
7. A person nominated by HWK will 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 service-provider".
8. An Enter and View visit report must be produced by HWK within 10 working days of the visit and will detail any observations or recommendations made by the visiting team.
9. Enter and View Report with recommendation(s) will be sent to relevant responsible person. The service provider must acknowledge, in writing, receipt of the report as soon as received. The service provider must respond within 20 working days of the date of receipt of the report with a formal written explanation of any action(s) they may take in respect of the report and recommendations within 20 working days (unless HWK has notified the service of relevant exceptions as outlined in [SI 3094 s44.4](#)), or an explanation of why no action will be taken. The formal response from the service provider will be published as part of the final report.
10. All visits undertaken on behalf of HWK must fully comply with [Healthwatch England Enter and View guidance](#).

11. HWK authorised representatives will agree to undertake training to help them carry out their visiting role in an effective manner.
12. HWK will undertake DBS checks for all authorised representatives, at no cost to the volunteer.
13. The HWK Enter and View visiting team lead will ensure that authorised representatives are available and able to undertake the visit.
14. HWK will maintain and update the Enter and View authorised representative database and will ensure all visiting team members have HWK identification badges. The list of HWK authorised representatives will be published on the HWK website in line with [SI 3094 s42 1d](#).
15. Visits must only be conducted by a minimum of two HWK authorised representatives to safeguard the visiting team.
16. If a member of the visiting team does not feel well on the day of the visit, they should refrain from taking part and inform the HWK Enter and View visit lead.
17. 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.
18. When conducting visits the visiting team must comply with the HWK Code of Conduct (including Confidentiality), Safeguarding, Equality, Diversity and Inclusion policies and procedures. All relevant policies and procedures can be found on the [HWK website](#)
19. During Enter and View visits, the visiting team will respect the privacy and dignity of patients, residents, carers, staff, and members of the public.
20. The HWK visit lead will provide support and direction for all Enter and View visits and will produce the visit report with recommendations.
21. Any breach of this Enter and View protocol will be dealt with through HWK's policies and procedures.

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