

## Healthwatch Kensington and Chelsea Advisory Board Terms of Reference and Code of Conduct

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### Introduction

Healthwatch Kensington & Chelsea is a hosted Healthwatch. The Advocacy Project (TAP) is the host organisation and the contract holder.

TAP is the employer of staff working within Healthwatch Kensington & Chelsea. It is also accountable for the delivery of the contract and meeting statutory duties. The TAP board delegates the management of the Healthwatch contract to the CEO and delegates delivery priority setting to the Healthwatch Advisory Board.

TAP Board of trustees will ensure the Kensington & Chelsea Healthwatch delivers highest standards of quality and adherence to best practice, in particular the Healthwatch Quality Framework. It will also seek to assure itself that the advisory board is fit for purpose. It will therefore periodically review the decisions, initiatives and activity taken by the local Healthwatch. This assurance will be provided via attendance at the TAP board by the Healthwatch Service Manager (HSM) who will report on service delivery and an advisory board member who will give insight into the decision-making for prioritisation. The CEO and or another member of the TAP senior leadership team will also attend all Advisory Board meetings.

The CEO will be accountable for reporting to the TAP board any serious incidents, complaints or concerns outside of board meetings. These should be raised via the HSM unless they are directly concerning the HSM in which case they should be escalated directly to the CEO.

The Advisory Board is the key priority setting body in Healthwatch Kensington & Chelsea. It brings together experience and expertise from the other parts of the governance structure to ensure Healthwatch Kensington & Chelsea is effective, inclusive and transparent in its priority setting.

**Aims of the group:**

- To ensure there is collective responsibility in setting the priorities and strategic direction of the organisation as set out in the Healthwatch Kensington and Chelsea Workplan and Strategy
- To ensure the views of the Voluntary Community and Social Enterprise (VCSE) sector are heard in the prioritisation process
- To ensure the views of the relevant experts or stakeholders are heard in the prioritisation process.

**Objectives:**

- Work in constructive partnership with the members of The Advocacy Project Board, Voluntary Community and Social Enterprise (VCSE) sector, relevant experts or stakeholders, staff and volunteers
- To have active oversight of the process for setting annual priorities for the organisation
- Regularly review the list of priorities (the workplan), receive updates on potential new more urgent priorities and advise how the workplan should be adjusted
- Monitor the progress of project work and other activity on the workplan, ensure that staff are progressing things effectively and that stakeholders are aware of any significant delays in project timeframes
- Identify what difference a Healthwatch intervention has made and take a view on whether it is enough
- Support the development of the Enter & View programme where appropriate
- Evaluate whether we are effectively balancing how we raise the voices of the public and challenge services to improve, with ensuring we work in a professional, collegiate, constructive manner with stakeholders
- Consider whether Healthwatch Kensington and Chelsea is suitably visible to public and stakeholders.

**Frequency:**

The Advisory Board will meet at least once per quarter, for 2 hours. There will be occasional events that members need to attend.

**Membership:**

- The Advisory Board will be made up of volunteers and public who have had close working with Healthwatch Kensington and Chelsea
- The Advisory Board will aim to have between 8 to 12 members, with quorate being at least 50% of members present
- Members will be recruited as required via application that is then reviewed by a panel including the Chair, Vice Chair or other Advisory Board member and the Healthwatch Service Manager
- The Chair and Vice Chair will be elected by the members of the Advisory Board from amongst the current members
- The term of office is 3 years.

Although not members of the Advisory Board and therefore not able to participate in priority setting, senior officers of Kensington and Chelsea Council, the ICS and Chairs of committees such as Kensington and Chelsea Health & Wellbeing Board and Overview & Scrutiny Committee will be invited to attend occasional meetings depending upon the agenda for the meeting.

**Person specification for members**

Representatives of the public are key to the group to bring their views to help us decide on our priorities. They should have:

- Experience of working with Healthwatch Kensington and Chelsea either as a volunteer or an interested member of the public
- An interest in health, and health and social care services
- Experience of working as part of a group, preferably within a strategic context
- Sufficient time to commit to the role
- Ability to grasp a range of information and evidence – which will be presented in as straightforward a way as possible with explanations available as required
- Ability to display sound judgment and to be objective.
- Respecting of individual and organisational viewpoints

- Awareness of, and commitment to, equality and diversity and reducing health inequalities
- Understanding of the need for confidentiality when required.

### **Recruitment process for members of the public**

- Members are recruited through an open recruitment process by a panel of the Chair or vice Chair of the Advisory Board and the Healthwatch Service Manager. Additional board members may also be invited to be part of the panel.
- As vacancies arise we carry out recruitment processes to fill the spaces.
- We are particularly keen to hear from people who can bring the perspective from communities in Kensington and Chelsea whose voices are seldom heard in health and care planning, and people who can contribute to our strong commitment to equalities and diversity.

### **Quorum**

The Advisory Board will aim to have between 8 to 12 members, with quorate being 50% of members present. All members of the Advisory Board should endeavour to attend all meetings set.

A minimum number of 75% of the Advisory Board are required for decision making purposes.

The process the Advisory Board will use to make decisions will be to use a majority vote system. If there is a split vote the Chair will have the final vote.

### **Reviewing the terms of reference**

The terms of reference will be reviewed every 2 years.

### **Associated documents**

Healthwatch Kensington & Chelsea Prioritisation Process

Healthwatch governance Q&A

Governance agreement

## **Code of Conduct**

### **Responsibility**

It is the responsibility of all those involved with the Advisory Board to uphold this Code of Conduct. Adherence to this Code is a condition of involvement in the Group and breaches of this Code may lead to sanctions, and ultimately termination of membership of the Advisory Board.

### **Key principles of the Code of Conduct**

In joining the Advisory Board you are agreeing to uphold the following principles and behaviours based on the Nolan Principles in Appendix 1:

- **Respect:**  
Respect fellow group members and members of Healthwatch Kensington and Chelsea and The Advocacy Project. Treat them, and any other people that my role brings me into contact with, with respect and courtesy.
- **Openness and accountability:**  
Be fair and open in all my dealings and be accountable for my decisions and actions.
- **Honesty:**  
Act honestly and withdraw from involvement in any business of the Advisory Group where I have a conflict of interest or where I could benefit financially or referentially.
- **Best interests and objectivity:**  
Act only in the best interests of ensuring patient and public involvement in the Healthwatch Kensington and Chelsea, promoting public confidence and taking decisions on merit and in the public interest.
- **Integrity:**  
Not place myself under any obligation, financial or otherwise to a person or organisation that may influence my decisions or actions.
- **Leadership:**  
Take responsibility for promoting and exemplifying these principles and leading by example to maintain and strengthen the public's trust and confidence in the integrity of Healthwatch Kensington and Chelsea.
- **Equality and diversity:**  
The Equalities Act 2010 makes it against the law to discriminate against people within the workplace and wider society.  
In summary, the law stipulates that it is unlawful to discriminate against anyone because of:
  - Age
  - Gender reassignment
  - Marriage or civil partnership

- Pregnancy and maternity
- Disability
- Race (including colour, nationality, ethnic or national origin)
- Religion and belief
- Sex
- Sexual orientation
- These are called 'Protected Characteristics'. People in society are protected under the Act at work, in education, as a consumer, when using public services, when buying or renting a property or as a member or guest of a private club or association.
- All Advisory Board members are responsible for the promotion of/and compliance with the Equalities Act and any behaviour, actions or words that are deemed unlawful under the Act, will not be tolerated and may result in membership being terminated.
- **Confidentiality:**  
Advisory Board members will respect all confidences they are party to and will never disclose confidential or sensitive information unless there is a legal duty to do so.
- **Legislation and policies:**  
Advisory Board members will comply with relevant legislation including the Equalities Act 2010, human rights, data protection and freedom of information.

### **Members agree to:**

- Attend at least 75% of meetings.
- Attend induction training and any other training opportunities required to develop understanding of Healthwatch Kensington and Chelsea and the wider health and social care system.
- Read and understand meeting papers and follow any guidance given by Healthwatch Kensington and Chelsea.
- Let the staff team know of any changes to employment or personal circumstances which could affect involvement in the Group.
- Declare any conflict of interest, or anything that might be seen by other people as a conflict of interest, as soon as it arises
- Commit to playing an active role in the Group, contributing to areas of work agreed to and reflect their skill set and knowledge base
- Prepare for meetings and events and send apologies when unable to attend or will be late
- Be prepared and willing to participate and debate on agenda items as appropriate

- Listen to and respect the views and experiences of others and support others to contribute
- Raise issues for consideration which are based on information from patients or the public, demonstrating a matter of wider concern rather than an individual issue
- Not accept gifts or hospitality which could be seen as trying to influence the decisions, independence or activities of Healthwatch Kensington and Chelsea.
- Ensure they do not act in a way which puts others at risk
- Not work against the majority view once a decision has been democratically taken, but may request that their viewpoint, if it differs, is recorded in the minutes.
- Confirm a remit from Healthwatch Kensington and Chelsea before speaking, writing or attending other meetings on behalf of the group.
- Not pursue a single issue or personal agenda at the expense of other priorities.
- Report back when they attend anything on behalf of Healthwatch Kensington and Chelsea.

### **Sanctions**

Where members breach this code of conduct, the following actions will be considered:

- Discussion with the chair and/or a member of Healthwatch Kensington and Chelsea to ascertain any concerns or support needs.
- Provision of any support identified.
- A verbal warning confirmed in writing.
- Suspension from all or some Advisory Board activities for a given period of time.
- Removal from membership of the Advisory Board and/or a change to your role.
- Members agree to abide by the decisions made by the Chair and or members of Healthwatch Kensington and Chelsea on breaches of this Code of Conduct.

## **Appendix 1 – The Seven (Nolan) Principles of Public Life**

### **Selflessness**

Holders of public office should take decisions solely in terms of the public interest. They should not do so in order to gain financial or other material benefits for themselves, their family, or their friends.

### **Integrity**

Holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations that might influence them in the performance of their official duties.

### **Objectivity**

In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, holders of public office should make choices on merit.

### **Accountability**

Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.

### **Openness**

Holders of public office should be as open as possible about all the decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands.

### **Honesty**

Holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.

### **Leadership**

Holders of public office should promote and support these principles by leadership and example