

Gloucestershire Local Involvement Networks (LINKs) Governance Framework

MISSION

The Gloucestershire LINK will help influence, improve or change the way local Health & Social Care services are planned and delivered

The Gloucestershire LINK is a network of local people, groups and community organisations who want to help shape health and social care services commissioned and provided in Gloucestershire. It is a mechanism for gathering the views of people throughout Gloucestershire communities so that these views can be made known to health and social care commissioners and providers. The Gloucestershire LINK aims to be inclusive and will not discriminate on the grounds of: age, culture, disability, gender, race, religion and belief, sexual orientation. The Gloucestershire LINK has statutory duties and powers and will act in accordance with the Local Government and Public Involvement in Health Act 2007.

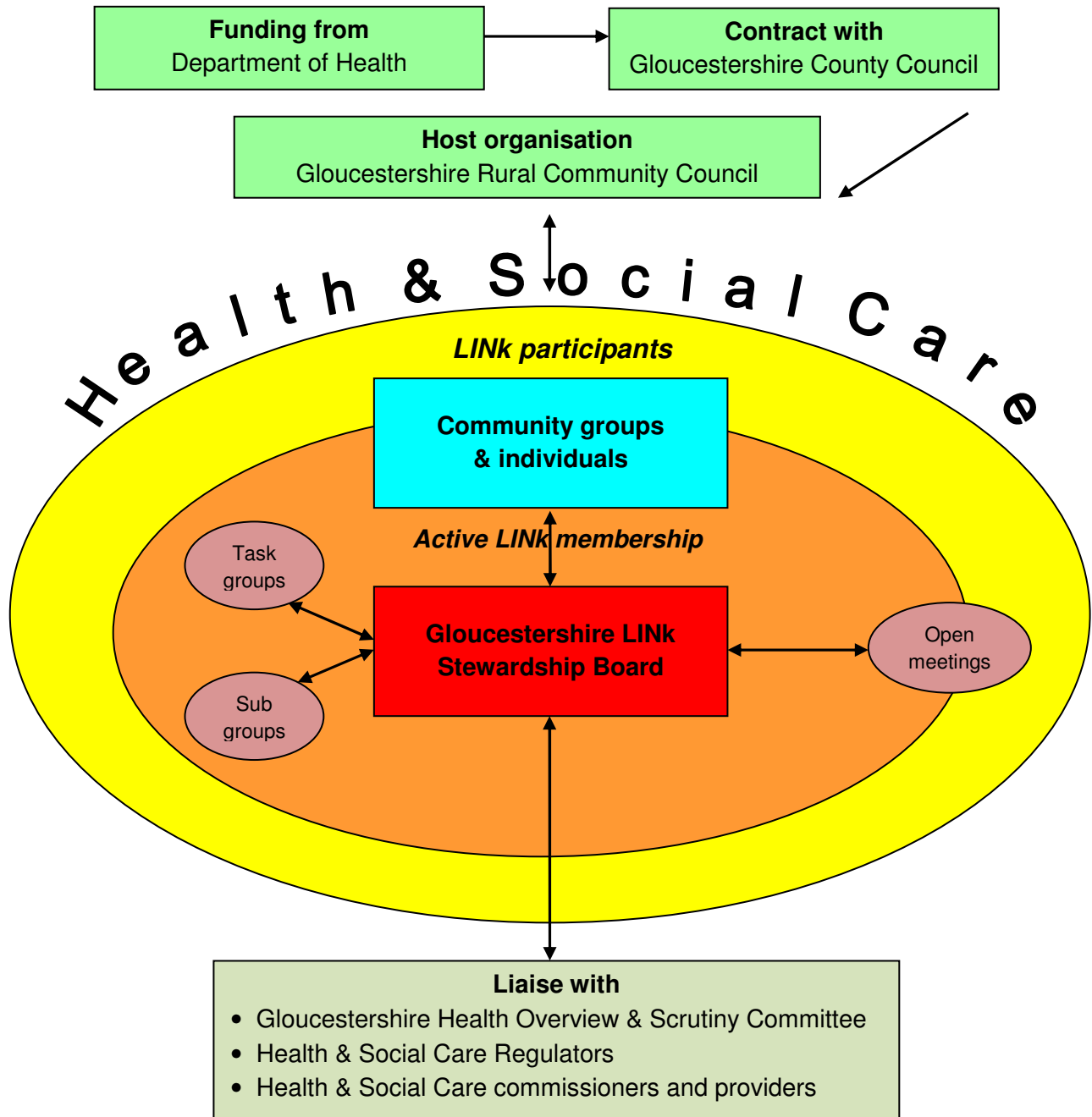
The role of the Gloucestershire LINK is to promote and support the involvement of local people in order to:

- Find out what people like and dislike about local Health & Social Care services
- Look into issues of concern
- “Enter & View” to ensure services are working well
- Ask for information and get answers
- Refer issues to relevant agencies
- Have a say when new services are being planned
- Value the diversity of the local population and make its services and resources accessible to every citizen

The Gloucestershire LINK is **NOT**:

- A group of people who **ONLY** inspect premises and services
- Performance managers of health and social care services
- A health and social care complaints body
- A way to duplicate other networks or initiatives
- Self appointed or unaccountable
- A group of professional workers
- A place for personal or political agendas.

Gloucestershire LINK Model



1. Membership

Membership of the Gloucestershire LINK is open to:

- An individual living or working in Gloucestershire with an interest in health and social care services within the area
- A community group or organisation based in Gloucestershire with an interest in health and social care for Gloucestershire residents.
- A national or regional organisation or business providing health and social care services for Gloucestershire residents.
- A private sector organisation or business providing health and social care services for Gloucestershire residents.

Types of Membership:

There are two types of membership:

a) Individual

b) Community Group or Organisation

Any community group or organisation that wishes to be represented may appoint one named person to be the representative of that organisation. The appointed representative is required to sign the registration form and have it countersigned by their Chief Executive, Chair or senior manager.

All prospective members of LINK must complete a registration form, either as an individual member, or as a named representative of a community group or organisation. Membership will remain indefinite, unless the member chooses to leave or is disqualified from the Gloucestershire LINK as a result of their conduct.

Voting Rights

The individual member or named person will be entitled to full voting rights commencing one month after the membership has been acknowledged. They will be entitled to stand for election to the Stewardship Board providing they have been a member of the Gloucestershire LINK for six months preceding the election nomination closing date.

Please note that County Councillors and District Councillors are ineligible to vote and are unable to stand for election to the Stewardship Board, although they are able to participate in all other activities as long as any conflict of interest is declared.

Levels of Engagement

a) Active Members make a commitment to take part on a regular basis in the development and implementation of the roles of the Gloucestershire LINK through task and sub groups as required.

b) Participants may take part in Gloucestershire LINK activity occasionally; for example, they may wish to take an active role in particular pieces of work that relate to their area of interest or they may just comment on issues, or provide information or views from an interest group, when contacted by the Gloucestershire LINK.

2. Gloucestershire LINK Stewardship Board

The Stewardship Board will be accountable to the wider Gloucestershire LINK. It is empowered to allocate finances and other resources for the work of the Gloucestershire LINK.

The Stewardship Board members will be expected to take an active role within the LINK, attend a minimum of at least 50% of all Board meetings, and be willing to travel within Gloucestershire.

The Stewardship Board will develop and prioritise the work plan ensuring engagement with the wider LINK to establish the view of its members.

If membership of the Board falls below 12, the Board has the power to co-opt from the wider membership to fill the vacancy until the next Annual General Meeting. The co-opted member will have full voting rights.

3. Structure of Gloucestershire LINK Stewardship Board

The Stewardship Board will be elected annually by and from registered members of the Gloucestershire LINK. It will consist of 12 members with a chair and vice chair who will be elected from and by the Stewardship Board members only. Members of the Board shall stand for election annually and be entitled for re-election.

A chair may hold office for two consecutive years and will be eligible for re-election after standing down for one year. A vice chair will hold office for one year and will be eligible for re-election after standing down for one year.

Election Process for the Stewardship Board

Who can stand for election?

To qualify for election, candidates must have been a member of the Gloucestershire LINK for six months preceding the closing date for nominations. They must also be able to commit to regular attendance at Board meetings.

Election and Voting Process

- Publication of a Notice of Election will be sent at least nine weeks prior to year end, which is 31st March. The Notice of Election sets out the timetable and arrangements for the nomination of candidates.
- Prospective candidates to request a self nomination form from the Host (GRCC).
- Forms to be completed and returned to the Host (GRCC) before the closing date identified in the Notice of Election (this date must be at least six weeks prior to year end).
- Voting papers will be sent out at least four weeks before year end.
- Voting papers must be received by the Host (GRCC) at least fourteen days prior to year end. Any voting papers received after the published closing date will not be counted.
- Voting papers will be counted by two independent scrutineers.
- The results of the election will be announced before 31st March.

Chair and Vice Chair Election Process

- The Chair and Vice Chair will be elected by the members of the new Stewardship Board
- Self nomination papers for the Chair will be sent out to all members of the new board immediately after the results of the election have been announced and returned within seven days
- Voting papers will be sent out and returned to the host (GRCC) within seven days
- Results will be announced at the April Stewardship Board meeting
- Vice Chair elections will follow a similar process and the results will be announced by the May Stewardship Board meeting

4. Meetings

a) Stewardship Board Meetings

The Stewardship Board will determine the days and timings of the monthly meetings for the coming twelve months at the first Board meeting in April.

To enable a Board meeting to take place, a minimum of four Board members, (including either the Chair or the Vice Chair) is required.

The agenda is to be published onto the website five working days prior to the meeting, so that the wider membership has the opportunity to comment / feedback on the agenda items. Any items LINK members wish to have considered for inclusion on the agenda must be forwarded to the Host (GRCC) prior to the meeting. The Chair will decide which items are to be included on the agenda.

The Chair is responsible for facilitating the LINK Stewardship Board and Public Meetings and signing the LINK Annual Report. In the absence of the Chair the Vice Chair will be responsible for facilitating the LINK Stewardship Board meeting and Public Meetings. The Vice Chair will have full Chair responsibilities and powers in the absence of the Chair.

Decisions of the Stewardship Board will be on a majority voting basis. The Chair will not have a vote except in the event of a split decision, when he/she will have a casting vote.

Stewardship Board Meetings will not be held in public. Notes of the meetings will be published on the Gloucestershire LINK website once they have been ratified by the Stewardship Board. The notes are available, on request, in a variety of alternative formats from the Host (GRCC).

b) Annual General Meeting

The Annual General Meeting will be held in public between 1st April and 30th June. All LINK members will receive notification of the meeting. An agenda will be sent to members at least 21 days prior to the event. This information will be made public as widely as possible in accordance with the Communications Strategy. The Annual Report (including Financial Report) will be presented at the Annual General Meeting.

c) Extraordinary Meetings

Extraordinary meetings can be called at the discretion of the Chair or a quorum of Stewardship Board members. These meetings may be held informally without the usual agreed notice period. Notes will be taken and made available to the full Stewardship Board as soon as possible.

5. Task Groups and Sub Groups

- The Stewardship Board may set up task groups or sub groups to enable the LINK to function, undertake a programme of work and monitor particular services
- The Stewardship Board will set the Terms of Reference for each group.
- A Chairperson for each group will be appointed in agreement with the Stewardship Board.
- Task groups and sub groups must conform to the Governance Framework and Code of Conduct
- All groups are accountable to the Stewardship Board and must report their activities to the Board through the Chair of the group, as agreed in their Terms of Reference.
- The level of support required by each group will be agreed by the Stewardship Board and the Host

6. Code of Conduct

- All members must abide by the Governance Framework and Code of Conduct which is based on “The Nolan Principles of Public Life”. Failure to conform to these documents may result in expulsion from the LINK
- Those members or groups involved in LINK visits to health and social care premises must abide by the “Code of Conduct relating to LINK visits to enter and view services”

7. Data Protection Policy

- Organisations in the health and social care sector that hold or process people’s information have a statutory duty to comply with The Data Protection Act 1988
- The purpose of The Data Protection Act 1988 is to protect individuals, their personal data, and the movement and use of that data
- The Host, GRCC, has overall responsibility for the Data Protection Act (DPA) and acts as Data Controller for compliance and management of information under the Gloucestershire County Council contractual arrangements
- LINK members are responsible for complying with the statutory requirements of the Data Protection Act

8. Register of Interests

- All members should declare any information appropriate for inclusion on a Register of Interests
- Where members have a conflict of interest they should declare it and withdraw from the decision making process. Any failure to declare a conflict of interest is a breach of the Code of Conduct
- Any conflict of interest that might be considered to influence a member's actions as a Gloucestershire LINK member must be declared to the Host organisation as soon as it arises
- An interest includes any financial or personal interests, memberships or affiliations that may be perceived as a conflict of interests. The criterion is not whether a member thinks they have an interest to declare but whether another LINK member, organisation or member of the public would think they have an interest to declare

9. Expenses Policy

- All LINK members are expected to adhere to this policy and any breach will be reported to the Chair of the Stewardship Board. The matter will then be investigated by the Chair and the Host in accordance with the Code of Conduct policy
- All LINK members will be reimbursed for out-of-pocket expenses incurred in the course of undertaking authorised work on behalf of the Gloucestershire LINK.

10. Authorised Visits

- All visits must be carried out by authorised representatives in accordance with the NHS National Centre for Involvement (Gateway Reference 10194): Code of Conduct relating to LINK visits to "enter and view" services
- Representatives can be authorised only when they have satisfied enhanced disclosure through the Criminal Records Bureau, in line with section 113A of the Police Act 1997

11. Complaints Policy

- Complaints about the Host organisation should be made to the Host and will be dealt with through the Host organisation's own complaints procedure
- Complaints about the Gloucestershire LINK or its members should, where possible, be made in writing and forwarded to the Stewardship Board Chair or via the Host
- Complaints about the Chair of the Stewardship Board should, where possible, be made in writing to the Host and will be referred to the Local Authority Lead at Gloucestershire County Council

12. Review

- The Governance Framework and policies of the Gloucestershire LINK will be reviewed annually

The Powers and Duties of the LINK

1. The powers and duties of Gloucestershire LINK will be those set out in Section 221 of the Local Government and Public Involvement in Health Act (“the Act”) and in the Local Involvement Network Regulations 2008 (“the Regulations”).
2. The LINK may exercise its powers within Gloucestershire and wherever health and social care services are provided for people living in the area.
3. LINK powers are to:
 - Get replies to requests for information or to reports and recommendations
 - “Enter and view” premises where publicly funded care is being provided
 - Refer issues to Overview and Scrutiny Committees and get responses
4. LINK duties derive from the Act and the Regulations and include:
 - Publishing and updating decision making procedures
 - Complying with published procedures
 - Publishing a policy for dealing with breaches of procedures
 - Publishing written statements of decisions and reasons for decisions
 - Publishing and updating a procedure for making decisions about who may be an authorised representative of the LINK
 - Ensuring that Authorised Representatives have received a criminal records certificate (CRB)
 - Providing authorised representatives with written evidence of their authorisation
 - Publishing a list of authorised representatives
 - Producing an Annual Report for year ending 31st March.

The Nolan Principles - The Seven 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 organizations 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.