

Local Involvement Networks Accountability and Transparency



About this guide

This guide is part of series aimed at helping make LINKs successful. This guide is designed to help people involved with LINKs to understand issues relating to the accountability and transparency of LINKs activities.

Background

LINKs are being set up to give communities a stronger voice in how their health and social care services are delivered. Run by local people and groups, the role of a LINK is to find out what people like and dislike about local services, monitor the care they provide and use their powers to hold services to account.

Key points

- Find ways to explain your decisions and actions and allow people to judge what you do, how you do it and how well you do it.
- Be open and honest and work in ways that are free from bias.
- Develop a credible work programme, based on local priorities that reflect local needs.
- Encourage participation by demonstrating that people's contributions can make a difference to the work of LINKs.
- Publishing an Annual Report is one way for LINKs to demonstrate a commitment to openness and clarity, but should not be the only way.

What does 'accountability' mean for LINKs?

'Accountability' is about taking time to explain to people what you are doing, why and how you are doing it. LINKs should communicate with people and groups in ways that help them to judge how LINKs are carrying out their activities and how effectively they are influencing health and social care commissioners and providers. Making 'accountability to local communities' a cornerstone of procedures and processes should be one of the first things that LINKs consider (see guide No. 9 of this series about 'getting going').

Who are LINKs accountable to?

First and foremost, LINKs are accountable to their local population. They are independent of central government, local government and the NHS and their funding is channelled through 'arms length' Host organisations. LINKs need to handle their independence responsibly and make 'accountability to communities' a priority. Because LINKs are publicly funded they also need to report annually to the Secretary of State (see later section in this guide).

Local people and groups need to have confidence that LINKs understand local health and social care needs and have developed a credible work programme based on local priorities (the NCI has published a guide to 'setting a work programme' – guide No. 10 in this series). LINKs should find ways to explain how their understanding of local needs has been developed through talking to local people and groups, particularly those that have been 'easy to ignore' in the past. A commitment to work in partnership with local communities can partly be demonstrated by explaining how much time and money LINKs will devote to reaching out to all sections of the local population – either to help develop their understanding of local needs or to involve people and groups in LINK activities.

LINKs should also find ways to explain the rationale for prioritising issues in their work programmes so that people can be clear about why some issues are being with first, others later and some not at all. LINKs will also need to show how they relate to health and social care commissioners and providers, together with key stakeholders, in order to demonstrate to communities their effectiveness in influencing local health and social care services.

LINKs will be successful if they quickly gain the trust and confidence of local people. People will get involved with LINKs if they see that their contribution is respected and valued.

The Care Services Improvement Partnership publish guidance about communicating with diverse groups (<http://www.mard.csip.org.uk/guidelines-and-standards/engaging-diverse-groups/communication.html?keywords=supporting%2520communication>)

What does 'transparency' mean for LINKs?

'Transparency' is about being open and honest and working in ways that are free from bias. LINKs should be able to explain to people how decisions are made within the LINK and how issues are prioritised. LINKs should consider a range of ways of regularly communicating with local people and groups about their activities and how people can get involved. LINKs need to make sure that there are no barriers to people taking part in LINKs in ways that suit them.

Regulations about LINKs stipulate that procedures for decision making need to be published and that certain decisions and the reasons for them also need to be published (see section later in this guide). LINKs need to think about how this can be done in ways that can be easily accessible and understood by people and groups that do not normally have access in traditional ways.

Finding ways of working 'transparently' will help LINKs:

- build up and maintain public trust and confidence;
- strengthen relationships with communities;
- demonstrate effective governance and use of resources; and
- generate understanding of how they achieve their goals of listening to local people about health and social care issues and communicating those views to commissioners and providers.

The 'Nolan Principles'

The 'Nolan Principles' are seven principles that should apply to all people in public service. Although they normally refer to holders of public office, it is worth people involved with LINK decision making considering adopting them. The seven principles are summarised here.

Selflessness

Act only in terms of the public interest, not in order to gain financial or other benefits for self, family or friends.

Integrity

Not be placed under any financial or other obligation to outside individuals or organisations that might seek to influence the performance of official duties.

Objectivity

Make decisions on merit and the basis of evidence.

Accountability

Be accountable for decisions and actions to the public and submit to whatever scrutiny is appropriate.

Openness

Be as open as possible about all decisions and actions. Give reasons for decisions and restrict information only when the wider public interest clearly demands.

Honesty

Declare any private interests relating to public duties and take steps to resolve any conflicts arising in a way that protects the public interest.

Leadership

Promote and support these principles by leadership and example.

Ways to demonstrate accountability

LINK regulations include the following ways that LINKs must demonstrate accountability (including during any transitional period):

- publishing and updating decision making procedures;
- complying with published procedures;
- publishing a procedure for dealing with breaches;

- 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;
- complying with the published procedure;
- publishing a list of authorised representatives;
- providing authorised representatives with written evidence of their authorisation; and
- only authorising people who have received a criminal records certificate if a 'nominated person' is satisfied they are suitable.

Decisions that need to be published relate to:

- how the LINK will undertake its activities;
- which care services the activities will relate to;
- the amounts spent on LINK activities;
- whether information is to be requested from a service provider;
- whether a report or a recommendation is to be made;
- which premises are to be visited and when the visit will happen;
- whether to refer a matter to an OSC; and
- whether to report a matter to anyone else.

During a transitional period (eg when the Local Authority is supporting the LINK as transitional Host), people carrying out LINK activities must write reports about the activities they have carried out, the amount of money they have spent in respect of those activities and what they have spent the money on. The reports must be written within two months of the activities taking place and copied to a Host organisation, a Local Authority and the Secretary of State within three months.

LINKs are encouraged to consider these statutory requirements as a 'baseline' for accountability and transparency and to develop a culture of open communication with communities, allowing plenty of opportunities for people and groups to influence the activities of the LINK and to get involved.

Annual reports, accounts and performance

Directions about LINKs stipulate that LINKs must produce an annual report about their activities and how money has been spent by the LINK. Annual reports provide a formal mechanism for LINKs to be accountable to the Secretary of State. However, LINKs are unlikely to be able to demonstrate a commitment to openness and clarity if they rely only on an annual report as a way of communicating with local people.

A website could be a key source of information for local people about LINK activities and priorities but LINKs also need to find other creative and innovative ways of communicating with (and listening to) people and groups that do not usually access information in traditional ways.

Also, the contract between Local Authorities and Host organisations could require Hosts to report on 'performance measures' such as:

- levels and diversity of participation in the LINK;
- how much money the LINK received and how it was spent;

- views and opinions received from communities; and
- how views and opinions have influenced commissioners and providers of local health and social care.

The Directions about annual reports require the following matters to be covered:

- name, address and contact details for the LINK;
- name, address and contact details for the Host organisation;
- names of individuals who were either authorised representatives of the LINK or were involved in making relevant decisions;
- the amounts of any money received by the Host from the Local Authority to support LINK activities during the year;
- the LINK activities that have been carried out;
- how the views of people involved in LINK activities have been made known to commissioners, providers, managers and scrutineers of care services;
- the impact of LINK activities;
- how many requests for information were made by the LINK to commissioners and providers (including independent providers), what those requests concerned and who the requests were made to;
- whether or not responses were received and whether these were within 20 working days of receipt of the request;
- how many referrals were made to OSCs, the matters concerned, whether receipt of referrals was within 20 working days, whether the OSC kept the LINK informed about any actions in relation to referrals and what actions OSCs took in respect of the referrals;
- how many reports or recommendations were made to commissioners, what those concerned, whether they responded to within 20 working days with an explanation of actions to be taken or why actions were not to be taken;
- what actions were actually taken as a result of the reports or recommendations; and
- which premises authorised representatives entered and viewed and how many times those premises were entered and viewed.

LINKs are encouraged to develop creative and innovative ways to report their activities to local communities in ways that people find accessible and stimulating, for example through DVDs, exhibitions and drama.

Building trust and confidence

LINKs will only be successful if they are owned by and involve the whole community. Peoples' willingness to get involved with LINKs may depend on their belief that their contribution can make a difference and that LINKs will listen to them, respect and value their views and act on them. LINKs will be successful if they communicate clearly about what they do, how they do it and allow people to judge how well they do it.

Building trust and confidence takes time and relies on accountability and transparency. This goes deeper than simple information provision – it's about peoples' direct experience of LINKs: do they seek out, take account of and build on

collective views? And do LINKs prioritise the experiences of individuals or those that society 'tends to ignore'?

Once public trust and confidence have been lost they are very difficult to regain. So it is important for LINKs to develop ways of maintaining an open dialogue with local people and groups and proactively engage communities in ways that build on and keeps peoples trust and confidence. By committing time and money to transparency about what they do, and how they do it; LINKs will demonstrate their responsiveness to the community and will encourage greater participation and support from all sectors of the population.

Accountability and transparency in practice¹

The people and groups brought together to discuss how the LINK should develop realise that they need to spend time and money reaching out to the widest possible spectrum of voluntary organisations, community networks, advocacy groups, user-led groups, residents of care homes and individuals with an interest in health and social care services so that the LINK evolves in ways that reflect a broad range of views. They are determined to find ways to reach people and groups that do not usually respond to, or get involved with, traditional involvement structures or mechanisms. Based on the views gathered a decision making and governance model is adopted. The people who take decisions on behalf of the LINK are determined find ways to be accountable and to demonstrate active outreach and engagement with different groups of service users and communities, together with the outcomes from this activity.

One of the ways the LINK expresses this accountability is via a report of its activities that is published each year in accordance with LINK Directions. The LINK organises a competition with local schools to design the cover for the annual report and works with a local college to develop a dvd. The annual report sets out details of LINK activities and expenditure and includes a detailed 'impact gauge' which describes the LINK's strategic aims and translates them into practical impacts.

The LINK realises that an annual report is only one way to communicate about its activities and that communicating only once a year is not likely to provide evidence of a commitment to ongoing accountability and transparency. It identifies other ways to communicate on a regular basis through a website, community newsletters, visits and talks, articles in the local press and identifies 'community champions' for the LINK that can encourage other people to get involved. The LINK asks for people and groups to suggest different ways that the information in the annual report can be made meaningful to them and responds to feedback, for example by organising a drama for people with learning disabilities and recruiting young people to organise an exhibition for their peers.

¹ This example is illustrative only

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Contact us

The NHS Centre for Involvement

Tel: 024 7615 0705

Email: info@links.nhs.uk

www.nhscentreforinvolvement.nhs.uk/links/

A simple explanation of LINks

www.direct.gov.uk/localinvolvementnetworks

Information about Government policy

www.dh.gov.uk/patientpublicinvolvement