Inspired Care

Good Governance Policy

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Policy Statement

'Governance' and 'good governance' are increasingly being used across the public, voluntary and private sectors as a measure or benchmark to ensure decision-making is open and transparent. Care Quality Commission (CQC) Regulation 17 Good Governance is now a standalone requirement within the Fundamental Standard. Governance means the process of decision-making and the process by which decisions are implemented.

In our organisation, we place a strong emphasis on providing the highest quality service possible for all of its Service Users. We work on the basis that, no matter how good our present services are, there is always room for improvement. We are committed to continuous improvement and have established a formal quality management system that provides a framework for measuring and improving our performance.

Legislation

Health and Social Care Act 2008 (Regulated Activities) Regulations 2014

Care Quality Commission (Registration) Regulations 2009 (Part 4)

The Care Act 2014

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The Health and Social Care Act 2008 (Regulated Activities) Regulations 2014

The Health and Social Care Act 2008 (Regulated Activities) (Amendment) Regulations 2015

The Health and Social Care Act 2008 (Regulated Activities) (Amendment) (Coronavirus) (No. 2) Regulations 2021

Control of Substances Hazardous to Health regulations 2002

UK Data Protection Act 2018

The Electricity at Work Regulations 1989

Employment Rights Act 1996

Equality Act 2010

Freedom of Information Act 2000

The Gas Safety (Installation and Use) Regulations 1998

The General Data Protection Regulation

The Hazardous Waste (England and Wales) Regulations 2005

Health Professional Council – legal framework

Health and Safety at Work etc. Act 1974

Management of Health and Safety at Work Regulations 1999

The Manual Handling Operations Regulations 1992

The Health and Safety (Miscellaneous Amendments) 2002

The Medical Devices Regulations 2002

The Medical Devices (Amendment) Regulations 2012

Mental Capacity Act 2005

Mental Capacity Act Code of Practice

Mental Health Act 1983

Mental Health Act 2007

Code of Practice (Mental Health Act 1983)

The Regulatory Reform (Fire Safety) Order 2005

RIDDOR

Safeguarding Vulnerable Groups Act 2006

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The Workplace (Health, Safety and Welfare) Regulations 1992

The Health and Safety (Miscellaneous Amendments) Regulations 2002

(This list is not inclusive)

The Policy

This organisation is committed to working in a collaborative inclusive and constructive manner, both internally and with our external multi-agency partners which mutually benefits all our Service Users. We have developed a set of principles that inform our way of working with each other and how we interact with our partner agencies. For clarity, the term 'the board' means owners, directors, governors, trustees, management committees, or any other name of the body with overall responsibility for governing the organisation, overseeing and controlling its strategic management.

We have developed the principles set out below which the board has adopted as effective from April 2015. These six principles encompass what the board and the organisation see as a model of co-working within which the ability to question, and ultimately, where necessary, challenge, is seen as a robust defence of good governance and the organisation's values and ethos.

It is a prerequisite that the board conducts its business, taking due and diligent care, to be as inclusive, respectful, and encompassing all diverse points of view whilst listening and learning from each other. Courteous and polite discussions which lead to consensus decision-making in an open and transparent Board will be seen as crucial to the health and well-being of the business.

The principles

An effective board will provide good governance and leadership by:

- **Understanding their role.**
- **Ensuring delivery of organisational purpose.**
- **Working effectively both as individuals and as a team.**
- **Exercising effective control.**
- **Behaving with integrity.**
- **Being open and accountable.**

Understanding their Role

All members of the board will individually and collectively, understand their role concerning:

- Their legal duties.
- Their control of assets.
- The mission and vision of the organisation.

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- The external environment.
- The total structure of the organisation.

Ensuring Delivery of Organisational Purpose

The board will ensure the organisation delivers its stated aims, objectives, and purpose by:

- Ensuring organisational goals and strategies are relevant and valid.
- Developing and agreeing on a long-term strategy for the organisation.
- Agree on operational plans and budgets.
- Monitoring spending against the planned budget.
- Evaluating results, assessing outcomes and impact.
- Review, adopt and amend the plan and budget as required.

Working Effectively Both as Individuals and as a Team

The board will have a range of policies and procedures, knowledge, attributes, behaviours and competencies which complement individuals and the Board to work together effectively. These will include:

- Finding and recruiting new board members to meet the organisation's changing needs concerning skills, experience, and diversity.
- Providing suitable induction for new board members.
- Providing all board members with opportunities for training and development, according to their roles and area of expertise.
- Periodically reviewing their performance both as individuals and as a team.

Exercising Effective Control

As the accountable body, the board shall ensure that:

- The organisation understands and complies with all legal requirements which apply, and, in particular, to the regulatory requirements as a registered provider.
- The organisation continues to have good internal financial and management controls.
- It regularly identifies and reviews the major risk to which the organisation is exposed and has a system to manage those risks.
- Delegation to staff, volunteers etc., works effectively and the use of delegated authority is properly supervised.

Behaving with Integrity

The board will:

- Safeguard and promote the organisation's reputation.
- Act following high ethical standards.

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- Identify, understand and manage conflicts of interest and loyalty.
- Maintain the independence of decision-making.
- Adhere to CQC Regulation 20 Duty of Candour requirements concerning regulated activities.

Being Open and Accountable

The board will lead the organisation in being open and accountable both internally and externally. This will include:

- Open dialogue and communications, informing people about the organisation.
- Appropriate consultation on significant changes to the organisation's services or policies.
- Listening and responding to the views of users of the service their families, representatives and relevant persons, as well as multi-agency partners and commissioners of our services.
- Handling complaints constructively, impartially, and effectively to learn from mistakes and improve practice.

Complying with the UK General Data Protection Regulation

This organisation already has a consistent level of data protection and security across the business, including:

- Information Audit — Ensuring information is collected, stored, shared, and disposed of in accordance with the UK GDPR.

- Policies and Procedures — we have data protection policies and procedures to meet the requirements and standards of the UK GDPR and any relevant data protection laws, including:

- Data Protection (UK GDPR) - our main policy and procedure document for data protection meets the standards and requirements of the UK GDPR. Accountability and governance measures are in place to ensure that we understand and adequately disseminate and evidence our obligations and responsibilities, with a dedicated focus on privacy and the rights of individuals.

The organisation securely maintains accurate, complete and detailed records of each person using the service and records relating to the employment of staff.

Following the National Data Guardian's 10 standards we protect confidential personal data and handle it securely by:

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- Only sharing data for 'lawful and appropriate reasons
- Making sure our staff get regular training in data security
- Only letting people have access to personal information if they need it for their job
- Having a plan for what to do if there's a threat to data security
- Not using older software that's unsupported – this means it no longer gets technical support from the manufacturer
- Having a strategy for protecting our IT systems – basing this on a proven framework like Cyber Essentials
- Having contracts with IT suppliers that hold them to account for the way they handle our information and making sure they meet the National Data Guardian's standards

Refer also to Record Keeping, Confidentiality, Service User's Records (Home) and the Recruitment and Selection policies for further details.

Information Commissioners Office (ICO) Registration Number

ZB397336

For more detailed information, please refer to the Data Protection (UK GDPR) Policy as listed in the Related Policies at the end of this document.

Statutory Notifications

Regulations 12, 14, 15, 16, 17, 18, 20, 21 and 22 of the Care Quality Commission (Registration) Regulations 2009 make requirements that the details of certain incidents, events and changes that affect a service, or the people using it, are notified to CQC.

The Registered Manager is responsible for ensuring that Notifications are made in a timely manner using the appropriate method as set out in the separate Notifications Policy.

All staff involved in the completion of the statutory notification records will be trained and made aware of the importance of the documents and their timely return to the CQC.

Please refer to the separate Notifications Policy for more detail.

Financial Procedures

This organisation believes that its Service Users have a right to expect that the organisation will be run on a sound financial basis, with robust procedures for dealing with money and accounting. It is intended to set out the values, principles, and policies underpinning this organisation's approach to the management of finances in the organisation.

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- This business has a financial plan for the organisation, as part of its business plan, which is open to inspection and reviewed annually; this includes a current cash flow forecast for the business set over 12 months.
- Open, transparent, and robust accounting and financial procedures are adopted and annually audited by an independent firm of auditors.
- Annual accounts are prepared and submitted by a professional independent accountant and include:
  - A profit and loss account,
  - A balance sheet,
  - An auditors' report signed by the auditor,
  - A directors' report signed by a director or the secretary of the company, and
  - Notes to the accounts.
- Insurance cover is in place against loss or damage to the assets of the business.
- Insurance cover is in place to cover business interruption costs, including loss of earnings.
- Any live-in staff are expected to be covered by their accident and third-party liability insurance; their insurance details are always checked upon registration with the company.
- Records are kept of all transactions entered into by the registered person and the organisation.

The accountant for the organisation is Jaz Grewal from TaxAssist. The insurance broker for the organisation is David Summers from Simply Business.

Business Risks

All businesses are exposed to some form of risk, whether that be internal or external. Internal risks are those that occur because of employee error, poor systems of work, lack of control and insufficient governance of the service. Unlike external risks, the organisation by and large can control internal risks.

Examples of Internal Risk include:

- Business Interruption
- Employee Errors or Omissions
- Financial Failure
- Key Personnel leaving the business
- Service Failure
- IT Failure
- Breach of Health and Safety requirements
- Breach of Regulatory Requirements
- Litigation
- Key Supplier Failure

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- Fraud

External Risks are those that the Organisation does not have control over and cannot easily predict the likelihood of their occurrence or the impact they might have on the business.

Examples of External Risks include

- Political – changes to Central or Local Government
- Economic – inflation, interest rates or recession
- Natural – pandemics, extreme weather

Risk identification is paramount for any business to ensure there is robust mitigating actions in place to reduce the risk to the business. It is the responsibility of the Board/Senior management to identify these risks and to implement plans to mitigate or eliminate them.

Techniques employed will include

- Annual review of Internal and External Business Risk
- Compiling a Central Risk Register
- Key Suppliers Register
- Robust Business Contingency Plan
- Robust Financial Contingency Plan
- Audits of key business activities
- Routine Monitoring of Market and Political Activity

It is impossible to identify every single risk but it's important that the identification of risks is tailored to the needs of the organisation. Not all risks are necessarily negative and as such may present opportunities for the business which can contribute to the success of the company.

Credit Card

The organisation may provide the manager and other personnel with a company credit card to be used for business-related expenses. This card allows the organisation to track and process expenses, prevent fraud, and make payments more efficiently. All staff with permitted access to the company credit card are expected to know the limitations and responsibilities associated with the credit card.

The staff responsible for the company credit card will be required to sign and abide by a credit card agreement, this acknowledges the card belongs to the company, refers to responsibilities and consequences for incorrect use, and states the agreed spending limit per cardholder. This may be adjusted based on the specific needs of the cardholder's role in the service.

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Company credit cards will be issued to the manager and any other personnel as deemed appropriate to their role. Should a member of staff not issued access to the credit card require payment using this card they must ask the manager for approval and the cardholder can then pay with the company credit card on their behalf. Any expenses that require reimbursement must be paid by the end of the next pay period.

Responsibilities

All cardholders are expected to:

Protect it to the best of your ability. Do not leave it unattended or give it to unauthorised people (e.g. friends, family, colleagues) even just to hold.

Report it stolen or lost as soon as possible. Notify the manager or senior person of your role, inform the credit card company as soon as possible, if it is stolen report it to the police, and complete an organisational incident form.

Use it only for approved reasons. Follow the instructions in the employee card agreement, and do not use the card for personal or unauthorised expenses.

Document all expenses and send monthly credit card reports. Please keep receipts and submit documentation with the date and purpose of the expense

Any person/s responsible for the authorisation and approval of credit card invoices must complete them within the limits to avoid late fees.

Use of the Company Credit Card

When using the company credit card, the cardholder should:

- Confirm that the particular expense is allowed
- Mind the credit card limit and the transaction limit
- Keep the credit card number and physical card secure
- Do not share the details of the card or the card itself with an unauthorised person
- Use the card sensibly and avoid unnecessary expenses

Quality Assurance

Robust Quality Management Systems are employed and designed to provide a framework to continuously monitor, measure, audit and analyse our performance against predetermined key quality Standards.

Methods employed include:

- Regular gathering and monitoring of Service User, family, or relevant person's feedback
- Quality Circles
- Co-production (giving power to Service Users)

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- A complaints procedure
- Selection and performance monitoring of suppliers against set criteria
- Robust and value-based recruitment, selection, and retention process
- Training development for employees including specific training in quality management principles
- Regular monitoring and observation of staff
- Regular audit of internal processes
- Measurable quality objectives which reflect an organisational aim
- Management reviews and audit results, feedback, and complaints

Refer to the Quality Management policy for more detailed guidance.

Audits

At least one across-the-business quality audit is conducted annually. This audit will cover all the business operations and will include auditing the Quality Systems to ensure they are fit for purpose.

The data collected from these audits are reviewed by the Quality Lead and Board of Directors to identify trends or emerging themes.

This ensures that this organisation is a Learning Organisation that embraces the principles of Continuous Improvement.

Audits will include:

- Medication Management
- Information Governance
- Infection Control
- Safeguarding
- Training and Workforce Development
- Equality and Diversity
- Health & Safety
- Regulatory Compliance
- Complaints & Compliments
- Internal Systems and Processes i.e. Staff Rotas or Scheduling Systems
- Recruitment and Selection
- Health and Social Care Standards

Effective Auditing is a comprehensive subject matter in itself. Please refer to the separate Quality Assurance and Audit Policy for more detailed information as listed in the Related Policies below

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Continuous Improvement

Constantly monitoring and evaluating our service through audits and feedback from clients and other stakeholders is a vital tool for continuous improvement. The data will be analysed for themes and trends so that improvement plans can be put in place to ensure our service users are safe and receive the highest quality service.

Staff Responsibilities

All staff in the organisation irrespective of their job role have a responsibility to ensure the organisation operates to the highest standards. If poor practice is identified or there is a fault with the governance systems itself then this must be reported immediately to the Quality Manager/Registered Manager or Director.

Related Policies

Audit

Bribery and Corruption

Business Contingency and Emergency Planning

Data Protection (UK GDPR)

Duty of Candour

Financial Irregularities

Fit and Proper Persons: Directors

Notifications

Quality Assurance

Recruitment and Selection

Whistleblowing

Related Guidance

CQC Regulation 5: Fit and Proper Persons: Director:
https://www.cqc.org.uk/guidance-providers/regulations-enforcement/regulation-5-fit-proper-persons-directors

CQC Regulation 17: Good Governance:
https://www.cqc.org.uk/guidance-providers/regulations-enforcement/regulation-17-good-governance

CQC Regulation 20: Duty of Candour:

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https://www.cqc.org.uk/guidance-providers/regulations-enforcement/regulation-20-duty-candour

ICO https://ico.org.uk/

Training Statement

All Board members will undertake an induction into their role which will cover all the principles above. In addition, the board will implement the requirements of CQC Regulation 5 Fit and Proper Persons Directors, Regulation 17 Good Governance and Regulation 20 Duty of Candour of the Health and Social Care Act 2008.

All staff, during induction, are made aware of the organisation's policies and procedures, all of which are used for training updates. All policies and procedures are reviewed and amended where necessary, and staff are made aware of any changes. Observations are undertaken to check skills and competencies. Various methods of training are used, including one-to-one, online, workbook, group meetings, and individual supervision.

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Person responsible for updating this policy: Dr Wigdan Mohamed Ali

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