



Healthwatch Lincolnshire

Member's Information Pack and Member's Byelaws

Healthwatch Lincolnshire (HWL) recognises the important role members have within our organisation. Members involvement in our charity helps with enhancing the Board's transparency and accountability; provides a better understanding of the people we serve; gives additional strength to our role within statutory and charity sectors; enables us to bring in support from a wider group of people and as a result raise better awareness, help with fund raising and volunteering and offers opportunities for potential new Trustees to 'come on board'.

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Introduction

Healthwatch Lincolnshire

Healthwatch Lincolnshire (HWL) came into effect on 1st April 2013 as an independent organisation and formed as a registered charity and Company Limited by Guarantee.

Part of the Health and Social Care Act 2012 recognised the need for a local independent consumer champion for health and social care services to cover each of the 152 county councils or boroughs, with one overarching body Healthwatch England. The Health and Social Care Act 2012 provided each Healthwatch with the following statutory powers:

- A duty on service providers and commissioners to respond to requests for information within 20 working days.
- A duty on service providers and commissioners to respond to recommendations within 20 working days.
- Make reports and recommendations about services known to commissioners, providers and regulators of health and social care services.
- A duty to allow entry to authorised statutory health and care facilities known as 'Enter and View' visits.
- A seat on the Health and Wellbeing Board to promote health improvements and tackle health inequalities.
- A process where recommendations to Healthwatch England about which special reviews or investigations may be required and where relevant, to the Care Quality Commission.

Healthwatch Lincolnshire activities can be broken down into 3 core functions:

Influencing. We are here to listen to people's views and personal experiences of their health and care services and share the key messages we hear in order to help influence improvements in services.

Signposting. Signposting people to help them access advice, choice and information about their local health and care services.

Watchdog. To ensure change is happening.

You can find out more about the work of Healthwatch Lincolnshire by visiting our website www.healthwatchlincolnshire.co.uk or by contacting us and a member of our team will be happy to discuss further.

Vision, Mission and Strategic Priorities

In March 2014 we agreed our Vision and our Mission which are:

- Our Vision is for everyone in Lincolnshire to access and receive outstanding health and social care services.
- Our mission is to be the consumer champion for all health and social care services for everyone in Lincolnshire

The HWL Board has set 5 strategic priorities to focus the operations and financial investment on public engagement activities, through creating and sustaining engagement team staffing levels and ensuring HWL has the infrastructure to report issues and help influence services keeping the public voice at the heart of our activities. The 5 strategic priorities are (information extracted from our Strategic Priorities document):

- Influencing health and social care services through engagement with the public, patients, carers and communities.
- Marketing, PR and campaigns.
- Developing HWL.
- Consultations to support improvements in health and social care.
- Participation and involvement in the health and social care environment.

Organisational Structure

Our organisation's structure includes our Board of Trustees, staffing team and volunteers.

The Trustee Board has the overall responsibility for the organisation's financial, legal and strategic requirements. Trustees are appointed by members to ensure the charity and company fulfils its objectives on behalf of the members.

The Chief Executive Officer is required to ensure all day to day activities are complying with the organisation's overall needs, along with managing the staff team.

The staff team deliver all day-to-day activities of the organisation, liaise with the general public and support our volunteer team.

Volunteers provide an essential support role in many areas of our work. Through our volunteers we are able to reach many more members of the public. Areas volunteers

help us with include office services, community activities, Enter and View visits, Trustees and hub leads.

Charity Objects

The charity's objects are specifically restricted to the following:

- a. The advancement of health and social care and the relief of those in need by reason of youth, age, ill-health, disability or financial hardship by:
 - (1) Providing information and advice to the general public about local health and social care services;
 - (2) Making the views and experiences of members of the general public known to health and social care providers;
 - (3) Enabling local people to have a voice in the development, delivery and equality of access to local health and care services and facilities; and
 - (4) Providing training and the development of skills for volunteers and the wider community in understanding, scrutinising, reviewing and monitoring local health and care services and facilities.

Role of the Trustees

What Do Trustees Do?

Trustees take overall responsibility for everything the charity does and they act collectively to govern the organisation. Although in practice many day-to-day tasks are delegated to staff (where they are employed) or to individual Board Members, volunteers or others. The central responsibilities of Trustee Boards are the same, no matter the size of the Board or nature of the organisation.

The 12 essential board responsibilities at a glance are:

- **Determine the Organisation's Mission and Vision.** Only the Trustee Board has the power to create and change the organisation's mission and vision. Every policy decision the Board makes is designed to help the organisation realise the aims laid out in the mission.
- **Engage in Strategic Planning.** Trustee Boards make strategic policy and work with the Chief Executive Officer to develop long term strategic plans. Ideally they tie their meeting agenda to key points in the strategic plan to ensure they are dealing with key issues.

- **Formulate Necessary Policies.** The Board creates policies to govern organisational activity, providing guidance for staff and volunteers; setting up systems for reporting and monitoring and establishing an ethical framework for all those who work for, or on behalf of, the organisation. It also creates policy governing the behaviour of Trustees and all aspects of Board business.
- **Approve and Monitor the Organisation's Programmes and Services.** The Board sees to it that all the organisation's programmes and services obey the letter of the law and effectively serve the organisation's mission. The Board's vision for the organisation determines what direction programming will take.
- **Ensure Adequate Financial Resources.** Trustees make sure that the organisation has the resources to carry out its mission. Their work in this area may involve creating policies governing financial reserves and fundraising practice. In some organisations, the Trustees themselves are active in raising funds.
- **Provide Effective Fiscal Oversight and Ensure Sound Risk Management.** The Trustee Board approves the annual financial statement and budget, monitors spending, creates policies to manage and protect organisational assets and property and sees to it that finances are handled according to the letter of the law in the best interests of the organisation. It also protects the organisation against liability by providing adequate insurance and creating policies designed to minimise the amount of risk to the organisation.
- **Enhance the Organisation's Public Image.** Through their own behaviour, their governance oversight and their activities on behalf of the organisation, Trustees enhance and protect the reputation of their organisation.
- **Carefully Select and Induct New Board Members.** The Board ensures the quality of governance for the organisation by carefully selecting and training new Board Members. It recruits and develops individuals who can provide the best leadership for the organisation.
- **Carry out Board Business.** The Board keeps its own house in order by conducting productive meetings where key organisational issues are dealt with in an efficient way. It creates effective committees and provides them with adequate resources and personnel. It hires consultants to bring needed expertise in to the organisation. It engages in regular performance appraisals, periodic self-assessment and development activities to strengthen its effectiveness.

Membership

Healthwatch Lincolnshire offers 2 levels of membership meaning there is a membership level to suit different involvement Lincolnshire residents. You can read more detailed information as to the legal requirements of being a full or associate member of HWL in the Appendix section of this document.

Level One - Full Membership.

Individual Full Member Criteria. *An individual with the ability to affect the governance of a charity by voting at the charity's AGM (and other relevant meetings) and who meets all other criteria for a member as set out in the charity's governing document:*

An Individual Full Member: Rights and Responsibilities. Full members agree to support the work of the charity through giving their time, skills or experience. This may be through one of the following:

- Become a formal volunteer as an Enter and View visitor.
- Become a formal volunteer as a lead for a Healthwatch Hub.
- Become a formal volunteer with one of our other volunteering roles.
- Become one of our agreed ambassadors. This is a formally recognised role and usually links to specialist areas eg mental health or children's issues and may include attendance at specialist meetings or boards.
- Use specialist knowledge to support one of our 4 permanent committees (Finance, Governance, HR and Public Engagement).
- Helping to promote the charity through a formally agreed role.
- Being a Board Member (Trustee) of the charity.
- Full membership is free.
- Full members receive a personal invitation to the Annual General Meeting.
- Full members will elect the charity's Trustees.
- Full members can apply to become a Trustee.
- Full Members will be able to vote at AGM, EGM and SGMs.

- Full members will be able to raise issues to ensure the work of the charity reflects public concerns.
- Receive information and updates from HWL.
- Be part of the formal membership database.

Liability of Full Members.

The liability of full members is limited to a sum not exceeding £10, being the amount that each full member undertakes to contribute to the assets of the charity in the event of its being wound up while he or she is a member or within one year after he or she ceases to be a member, for:

- Payment of the charity's debts and liabilities incurred before he or she ceases to be a member;
- Payment of the costs, charges and expenses of winding up; and
- Adjustment of the rights of the contributories among themselves.

For the avoidance of doubt, the Associate Members (who do not have the right to receive notice of, nor to vote at, general meetings of the charity) shall have no liability to contribute to the assets of the charity in the event of its being wound up.

Level Two - Associate Members

Associate membership is open to everyone in Lincolnshire providing them with an opportunity to be involved in the Healthwatch Lincolnshire network without the obligations of being a voting member. As a non-voting member you can expect to:

- Receive information and updates from Healthwatch Lincolnshire.
- Be invited to attend some of our public events and activities.
- Consider supporting the charity through volunteering.
- Be included on the network member's database.
- Non-voting membership is free.

Liability of Associate Members

There is no liability attached to being an associate member.

Applying for Membership

Anyone wishing to apply to become a member of HWL will be required to complete the membership application form which is available at the end of this document, can be downloaded from our website www.healthwatchlincolnshire.co.uk or hard copy provided on request by contacting our Head Office at Unit 12, 1-2 North End, Swineshead, Boston PE20 3LR.

Completed applications must be sent to our Head Office where all membership applications will be checked for accuracy and assessed by our Governance Committee prior to approval by our Board of Trustees.

Code of Conduct

Inclusiveness is one of the key values of HWL. HWL is committed to supporting a wide and diverse range of people through its work.

When working as a member of any group it is important that individuals conduct themselves in a way that ensures the overall harmony of the group. In the context of HWL, this is even more important in view of their close contact with the local community and all members (staff and volunteers) of HWL should be seen to be conducting themselves in a proper manner.

HWL operates in the public domain and represents local people, groups and organisations, therefore, it is important that participants within Healthwatch Lincolnshire conduct themselves in a manner which will stand up to public scrutiny. By following the guidance in this document on the 7 principles of public life, declaration of conflicts of interest, code of conduct relating to HWL meetings and code of conduct relating to Enter and View visits, participants and members of HWL will be able to meet the code of conduct that is expected of them.

The 7 principles of public life were drawn up by the Nolan Committee following a 6 month investigation into standards in British public life. Although these principles usually refer to holders of public office, members of HWL have agreed to conduct themselves in accordance with the Nolan Principles. (A list of the Nolan Principles can be found below).

Nolan Principles

The HWL Trustee Board adopts the Nolan Committee and NCVO Model Code of Conduct for Voluntary Sector Trustee Boards.

Selflessness.

Trustees of HWL have a general duty to act in the best interests of HWL as a whole. They should not do so in order to gain financial or other material benefits for

themselves, their family, their friends or the organisation they come from or represent.

Integrity.

HWL's Trustees:

- Should not place themselves under any financial or other obligation to outside individuals or organisations that might seek to influence them in the performance of their role.
- As well as avoiding actual impropriety, should avoid any appearance or improper behaviour.
- Should avoid accepting gifts and hospitality that might reasonably be thought to influence their judgement.

Objectivity.

In carrying out their role, including making appointments (including Trustee appointments), awarding contracts, recommending individuals for rewards and benefits or transacting other business, HWL's Trustees should ensure that decisions are made solely on merit.

Accountability.

HWL's Trustees:

- Have a duty to comply with the law on all occasions in accordance with the trust placed in them and in such a way as to preserve public confidence in HWL.
- Are accountable for their decisions and actions to the public, funders and service users. They must submit themselves to what scrutiny is appropriate to their role.

Openness.

HWL's Trustees:

- Should ensure that confidential material including material about individuals is handled in accordance with due care.
- Should be as open as possible about their decisions and action that they take. They should give reasons for their decisions and restrict information only when the wider interest clearly demands.

Honesty.

HWL's Trustees:

- Have a duty to declare any interests relating to their Trustee role and to take steps to resolve any conflicts that may arise. Where private interests of a Trustee conflict with their Trustee duties, he/she must resolve this conflict in favour of the Trustee role.
- Must make relevant declarations of interest in the different circumstances and roles they play both within and outside the organisation.

Leadership.

HWL's Trustees:

- Should promote and support the principles of leadership by example.
- Must respect the role of the CEO. There will be circumstances under which Trustees will be working directly with HWL staff. Guidelines for such working relationships must be clear to both staff and Trustee and when these occasions arise, the CEO should be informed in advance.

Member's Byelaws

Healthwatch Lincolnshire LTD

[Membership] Bye-Laws

Members

The members of Healthwatch Lincolnshire LTD (the Charity) are:

- (a) Full Members; and
- (b) Associate Members.

Members shall [give an undertaking to comply with] [be bound by] the Charity's Memorandum and Articles of Association and these Bye-Laws.

Full Members

Full Membership is restricted to individuals who reside or work within the Lincolnshire boundary who:

- (a) Apply to the Charity in the form required by the directors; and
- (b) Are approved by the directors.

Full Members have the right to receive notice of, to attend and to vote, at general meetings of the Charity. A Full Member shall have one vote.

The ***liability of each Full Member*** is limited to a sum not exceeding £10, being the amount that each Full Member undertakes to contribute to the assets of the Charity in the event of its being wound up while he or she is a member or within one year after he or she ceases to be a member, for:

- (a) Payment of the Charity's debts and liabilities incurred before he or she ceases to be a Full Member;
- (b) Payment of the costs, charges and expenses of winding up; and
- (c) Adjustments of the rights of contributories among themselves.

Associate Members

Associate Membership is restricted to individuals who reside or work within the Lincolnshire Boundary, who:

- (a) Apply to the Charity in the form required by the directors; and
- (b) Are approved by the directors.

Associate Members have the right to attend general meetings of the Charity but shall NOT have the right to receive notice of, NOR to VOTE at, general meetings of the Charity.

For the avoidance of doubt an Associate Member shall have no liability to contribute to the assets of the Charity in the event of it being wound up.

[The Charity is governed by its Full Members.]

[Full Members are empowered to:-

Nominate, elect and dismiss the members of the board;
Approve changes to the Charity's Articles of Association;
Approve the annual report and accounts;
Dissolve the Charity]

Standing for and holding office

Any Full Member of the Charity is eligible to stand for and hold office within the Charity [or to nominate and/or second another person for election to such office]. However, no one may be appointed a director if he or she is disqualified from acting under any provisions in the Companies Acts or is disqualified from acting as a Trustee under sections 178 and 179 of the Charities Act; ceases to be a Full Member of the Charity; is incapable by reason of mental disorder, illness or injury of managing and administering his or her own affairs; [or has in the opinion of a majority of the directors acted in such a way so as to bring the Charity into disrepute]. In addition, no Full Member may be a director who is also:-

- (a) A director (whether paid or unpaid) of a Clinical Commissioning Group (CCG); or
- (b) A person employed by a CCG to engage with patients and the public; or
- (c) A voting board member of an NHS provider trust; or
- (d) A person who is a director of, or who controls, an organisation which provides care and/or health services.

Provisions relating to membership

- (a) A member must be a natural person aged 16 years or older.
- (b) Membership is NOT transferable.
- (c) The directors must keep a register of the names and addresses of the members - one register for Full Members and another for Associate Members.

Membership information (names, addresses and contact details) will only be used for internal purposes and to meet the statutory obligations of the Charity to maintain

class member registers. This information will not be used for commercial purposes or distributed to other organisations.

Application process

A qualifying individual must apply to become either a Full Member or an Associate Member in accordance with the Charity's Application Form and its completion instructions. These application procedures may be amended, replaced or rescinded as the directors may from time to time direct. [The directors will consult with the Governance Committee before implementing such changes.]

Refusal of membership

- (a) The directors may only refuse an application for membership if, acting reasonably and properly, they consider it to be in the best interests of the Charity to refuse the application.
- (b) The directors must inform the applicant in writing of the reasons for the refusal within 21 days of the decision.
- (c) The directors must consider any written representations the applicant may make about the decision. The directors' decision following any written representations must be notified to the applicant in writing ***BUT shall be FINAL.***

Termination of membership

Membership is terminated if:

- (1) The member dies;
- (2) The member resigns by written notice to the Charity unless, after the resignation, there would be less than two members;
- (3) Any sum due from the member to the Charity is not paid in full within 6 months of it falling due;
- (4) The member is removed from membership by a resolution of the directors that it is in the best interests of the Charity that his or her membership is terminated. A resolution to remove a member from membership may only be passed if:
 - (a) The member has been given at least 21 days' notice in writing of the meeting of directors at which the resolution will be proposed and the reasons why it is to be proposed;
 - (b) The member or, at the option of the member, the member's representative (who need not be a member of the Charity) has been allowed to make representations to the meeting.

Means of communication to be used

The Charity may give any notice to a member either:

- (a) Personally; or
- (b) By sending it by post in a prepaid envelope addressed to the member at his or her address; or
- (c) By leaving it at the address of the member; or
- (d) By giving it in electronic form to the member's address; or
- (e) By placing the notice on a website and providing the person with a notification in writing or in electronic form of the presence of the notice on the website. The notification must state that it concerns a notice of a Charity meeting and must specify the place, date and time of the meeting.

A member who does not register an address with the Charity or who registers only a postal address that is not within the United Kingdom shall not be entitled to receive any notice from the Charity.

A member present in person at any meeting of the Charity shall be deemed to have received notice of the meeting and of the purpose for which it was called.

Notice shall be deemed to be given:

- (a) 48 hours after the envelope containing it was posted; or
- (b) In the case of an electronic form of communication, 48 hours after it was sent.

[Official announcements and communications of a general nature by the Charity with its membership will be via its website and/or newsletter.]

Rules

The directors may from time to time make such reasonable and proper rules or bye-laws as they may deem necessary or expedient for the proper conduct and management of the Charity.

The directors will adopt such means as they think sufficient to bring the Bye-Laws to the notice of the members of the Charity.

The Bye-Laws shall be binding on all members of the Charity. No Bye-Laws shall be inconsistent with, or shall affect or repeal anything contained in the Charity's Articles of Association.

The rules and Bye-Laws may be amended from time to time by a majority of the directors. Such changes will be tracked and made available to the members via the Charity's website. In addition the Charity in general meeting has the power to alter, add to or repeal the rules or Bye-Laws.

Application Form

Healthwatch Membership Application Form*



** Please note that your membership is subject to Healthwatch Lincolnshire Board agreement*

Personal Details

Title (please circle)	Mr	Mrs	Miss	Ms	Mstr	Cllr	Dr
First Name							
Last Name							
Organisation Name							
Address							
Postcode							
Telephone No							
Mobile No							
Email Address	@						
Website	www.						
Date of Birth							

Type of Membership

Full Member*	<input type="checkbox"/>
Associate Member	<input type="checkbox"/>

How would you prefer us to communicate with you?

Post	<input type="checkbox"/>	Email	<input type="checkbox"/>	Phone/Text	<input type="checkbox"/>
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**Only those people applying for full membership should complete the following details.*

What is your involvement with Healthwatch Lincolnshire (eg volunteering, trustee, other)?

What other background/skills do you have that would be of benefit to Healthwatch Lincolnshire?

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Declaration and Signature:

The information you provide will be held in accordance to the Data Protection Act (1998) and stored using a database managed by Healthwatch Lincolnshire.

I agree to this information being used by Healthwatch Lincolnshire for the purposes of membership and the interests I have listed above.

I acknowledge that this application is subject to full Healthwatch Lincolnshire Board agreement and does not give the automatic right to membership.

Signature _____

Date _____

The data below is treated separately and does not form part of the membership application.

What is your ethnic group?

Choose **ONE** section from A to E, then tick the appropriate box to indicate your ethnic group.

A White

- British
- Any Other White background, *please write in*

B Mixed

- White and Black Caribbean
- White and Black African
- White and Asian
- Any Other Mixed background, *please write in*

C Asian or Asian British

- Indian
- Pakistani
- Bangladeshi
- Any Other Asian background, *please write in*

D Black or Black British

- Caribbean
- African
- Any Other Black background, *please write in*

E Chinese or other ethnic group

- Chinese
- Any Other, *please write in*