

## Manchester City Council Report for Information

**Report to:** Manchester Health and Wellbeing Board – 4 July 2012

**Subject:** HealthWatch Update

**Report of:** Liz Bruce, Strategic Director, Adults, Health and Wellbeing

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### Summary

This report provides an update on the development of HealthWatch in Manchester through a Task and Finish group collaborative partnership working, consultation with the public and associated timescales.

### Recommendation:

1. The Board notes the content of the report and the direction of travel and request an update in October after the public consultation has taken place.
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### Introduction

The Health and Social Care Act 2012 established HealthWatch England, a national body which will be part of the Care Quality Commission and Local HealthWatch, to replace Local Involvement Networks (LINKs) to be the local consumer champion for patients, service users and the public. The Act imposes a duty on local authorities to contract with a Local HealthWatch organisation for the involvement of local people in the commissioning, provision and scrutiny of health and social services.

In addition, local HealthWatch will have a duty to provide information about health and social care services and for establishing a local health complaints advocacy service.

## **HealthWatch England.**

The Health and Social Care Act provides for the creation of a new national body, HealthWatch England (HWE), to be established as a statutory committee within the Care Quality Commission (CQC), representing the view of users of health and social care services, other members of the public and Local HealthWatch organisations. This means that like LINKs, they will have members with an interest in and/or expertise in social care as well as NHS services

HWE is empowered to:

- Provide Local Healthwatch organisations with advice and assistance on patient and public involvement
- Make recommendations to local authorities.
- Give written notice to a local authority where HWE is of the view that patient and public involvement activities are not being properly conducted.

## **Local Healthwatch**

The Secretary of State has powers to:

- Regulate the contractual relationships between local authorities, Local Healthwatch organisations and Local HealthWatch contractors.
- Make regulations to require commissioners and providers of health or social care to respond to requests for information or reports or recommendations of Local HealthWatch organisations and to allow members of Local Healthwatch entry to premises.
- Can regulate for local authority overview and scrutiny committees to acknowledge referrals to them from Local Healthwatch.

It is intended that service-providers, such as local authorities and NHS bodies, will be under a duty to respond to Local HealthWatch reports and recommendations and be able to justify their decision if they do not intend to follow through on them.

Local HealthWatch organisations must produce an annual report on their activities and finance and have regard to any guidance from the Secretary of State in preparing these reports. Copies of the annual reports must be sent to the NHS Commissioning Board, relevant Clinical Commissioning Groups and HWE. Local authorities must have regard and must require Local HealthWatch to have regard to guidance from the Secretary of State on managing potential conflicts of interests between being funded by local authorities and being able to challenge them effectively when required

Fundamentally, Local Health and Wellbeing Boards are required to have a representative of Local Healthwatch among their members.

## **HealthWatch guidance**

Following representations from local authorities and LINKs, the start date for Local Healthwatch is delayed to April 2013. The Department of Health has produced Local Healthwatch: A strong voice for people – the policy explained, which clarifies and restates the Government's vision for Local Healthwatch. This gives more detail on

the relationship between Local Healthwatch and local authorities. It says that local authorities will have some freedom and flexibility about what organisational form the Local Healthwatch will take.

It is intended that the Chair of HWE will be a member of the CQC Board. HWE will be expected to provide local Healthwatch organisations with operating and outcomes standards. It will be required to present an annual report to Parliament on the way it has exercised its functions during the year.

### Challenges

- **Funding:** There will be some challenges with regard to funding. The Local Authority currently provides funding of £80 000 to the LINK and additional funding will be available from 2013/14 to support both the information function that local HealthWatch will have and for commissioning the NHS complaints and advocacy service. However, Health and Local Authorities will need to untangle funding currently provided for signposting and advocacy services e.g. Department of Health was still working on defining what is meant by the Signposting, Information and Choices role and firm figures would not be available until November.
- **Conflict of Interest:** Concern has been raised regarding the position of Local HealthWatch on Health and Wellbeing Boards and the role of the local authority as funder. .
- **Organisational structure:** It was confirmed that a Local HealthWatch Organisation which is created as a subsidiary of another organisation would be an acceptable approach.

### Progress to date in Manchester

NHS Manchester, Public Health and the Directorate for Adults, Health and Wellbeing have established a Task and Finish group comprising of organisations within the city who are involved in engagement. This includes representation from:

1. NHS Manchester
2. Manchester City Council
3. The Voluntary and Community sector
4. Customers from established partnership boards and Valuing Older People.

The Task and Finish group have co produced the design of a public consultation exercise to determine what residents of Manchester require in terms of a good HealthWatch. The purpose of the consultation exercise is to take account of the views of Manchester residents in order to inform the service specification for the new HealthWatch in the city.

The consultation will begin on 1<sup>st</sup> July 2012 and will be for 12 weeks. There is a full consultation plan and includes co designed questionnaires which will be promoted on both the NHS and the Council's websites. We will also be using the survey to consult with residents on a face to face basis in the city.

The organisations involved in the task and finish group have also developed plans to demonstrate how they will support the engagement exercise within their own communities and developed networks. This includes:

- Bulletins to carers,
- Use of Social Network sites
- Focus groups in local venues
- Specific consultation for people with learning disabilities through the partnership boards.

### Next steps and timetable

The consultation will be analysed through the Directorate's policy team and will inform the specification, which will be subject to a competitive tender. It is anticipated that the Chair of HealthWatch Manchester will be established on the Health and Wellbeing Board by March 2013.

The following timetable demonstrates the time line:

<b>Commissioning of a HealthWatch service - provisional procurement timetable</b>			
<b>Stage</b>	<b>Commence</b>	<b>Requirement</b>	<b>Date for completion.</b>
Public consultation – Design of Service	2 <sup>nd</sup> July 2012	12 weeks	24 <sup>th</sup> September 2012
Soft market Testing	15 <sup>th</sup> August 2012	1 day event	15 <sup>th</sup> August 2012
Service Specification	1 <sup>st</sup> October 2012		5 <sup>th</sup> October 2012
Tender issue	15 <sup>th</sup> October 2012	4 weeks	9 <sup>th</sup> November 2012
Tender Evaluation	14 <sup>th</sup> November 2012	Assessment of bids	16 <sup>th</sup> November 2012
Tender Clarification Interviews	19 <sup>th</sup> November 2012		23 <sup>rd</sup> November 2012
Corporate Procurement Contract Award Report	26 <sup>th</sup> November 2012	Strategic Director, City Treasurer, Chief Executive approvals	3 <sup>rd</sup> December 2012
Key Decision. Notice of Intention to contract.	4 <sup>th</sup> December 2012	Corporate Procurement to complete	14 <sup>th</sup> December 2012
Contract Award			17 <sup>th</sup> December 2012
Service start date			January to April 2013