
**Manchester City Council
Report for Resolution**

Report to: Health and Wellbeing Board – 20 March 2013

Subject: HealthWatch Update

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

Purpose of report

To provide an update on the development of HealthWatch Manchester, the provision of an Independent NHS Complaints Advocacy Service and to seek the Boards views on the forward development of HealthWatch Manchester.

Recommendations:

1. That the Board notes the content of the report.
 2. The Board considers the options for the selection and composition of the HealthWatch Manchester Management Board.
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Background documents (available for public inspection):

The following documents disclose important facts on which the report is based and have been relied upon in preparing the report. Copies of the background documents are available up to 4 years after the date of the meeting. If you would like a copy please contact one of the contact officers above.

Manchester Health and Wellbeing Board November 2012

HealthWatch Update Paper

1. Background

- 1.1 The Health and Social Care Act 2012 requires each local authority to contract with a local HealthWatch organisation to support the involvement of local people in the commissioning, provision and scrutiny of health and social care services. In addition, local HealthWatch will have a duty to provide information about health and social care services and the choices available.
- 1.2 The Act also transfers responsibility for the commissioning of Independent NHS Complaints Advocacy (ICAS) Services from the Department of Health to the local authority with a requirement that the local HealthWatch organisation should signpost potential complainants to that service.
- 1.3 There is a statutory requirement that both services be in place as of 1 April 2013.

2. HealthWatch Manchester

- 2.1 A previous report presented to the Board on the 14 November 2012 set out the results of public consultations undertaken by the HealthWatch Task & Finish Group, the forward procurement timetable and the proposed budget of £80,000. A proposal that the selection of the HealthWatch Manchester delivery organisation should be by way of a competitive tender was previously ratified by the Health & Wellbeing Board meeting on 4 July 2012.
- 2.2 The procurement process was completed on the 4 February 2013. Following the assessment process of the bids received, the contract for the delivery of HealthWatch Manchester was awarded to Manchester Citizen's Advice Bureau.
- 2.3 The detailed service specification and Year One Action Plan, building upon the original headline specification for HealthWatch Manchester is currently in development. This approach recognises the emerging requirements for HealthWatch since the procurement exercise was launched and enables achievable outcomes and expectations to be set from commencement of the service. This work is being led by the HealthWatch Delivery Group comprising of Officers from the Directorate for Adults, Health & Wellbeing, representatives from Central and South Manchester Clinical Commissioning Groups and the Senior Strategy Manager from Public Health Manchester. Representatives from the Manchester Citizen's Advice Bureau have been invited to attend the Delivery Group in order for them to be aware of the Health & Wellbeing Board's expectations and to contribute to the development of the future service based on available budget.
- 2.4 Consultations will also continue with wider Stakeholders including the Chair and membership of the current LINK organisation. The contract to provide "host" services to the Manchester LINK currently held by the Black Health Agency will terminate on the 31 March 2013. Transitional arrangements will therefore be put in place to ensure that the handover from the LINK to the

- Manchester Citizen's Advice Bureau is as seamless as possible and to enable any potential TUPE transfer of LINK staff to be enacted.
- 2.5 HealthWatch Manchester will have statutory membership of the Health & Wellbeing Board. It is therefore fundamental that HealthWatch Manchester forms a strong working relationship with the Board, whilst ensuring that the voice of citizens is heard and that their independence is maintained.
- 2.6 The Council must ensure that the statutory responsibility for local HealthWatch arrangements is upheld at all times and that the service represent value for money, produces regular reports and has effective and constructive dialogue with the Board.
- 2.7 On a national level the structure of HealthWatch England is now emerging within the overall umbrella of the Care Quality Commission (CQC). Its precise role in relation to the support and direction of local HealthWatch organisations is not yet clear. Local "branding" guidelines have been supplied along with a website domain and a website package which will provide a consistent public facing presentation. It is also understood that a number of generic training packages are in preparation around such issues as the "Right to Enter Premises". HealthWatch England has a series of events planned around the country which will no doubt provide more information.
- 2.8 National level regulations in respect of HealthWatch duties and responsibilities have been issued within the NHS Bodies and Local Authorities (Partnership Arrangements, Care Trusts, Public Health and Local HealthWatch) Regulations 2012 and the Local Authorities (Public Health Functions and Entry to Premises by Local HealthWatch Representatives) Regulations. These set down the social enterprise requirements that local organisations must meet if they do not adopt conventional charity or Community Interest Company corporate status. They also set down a range of protocols which HealthWatch Organisations must publish and utilise in the conduct of their work programme, designed to ensure transparency, and accountability, including safeguarding requirements and respect for dignity.
- 2.9 At a local level members of the Board may be aware that representations have been made to the Council from national and local sources in respect of the proposed budget envelope for the provision of HealthWatch Manchester. The Manchester LINK also formally referred the matter to Health Overview and Scrutiny where it was debated on the 13 December 2013. The proposed budget has been reviewed by the Executive Member for Adults and Strategic Director for Adults, Health & Wellbeing and in view of pressure on front-line service budgets and other statutory functions to be funded from the Community Voices Grant pot, the funding for HealthWatch Manchester must be contained within the established LINK budget of £80,000.
- 2.10 Manchester Citizens Advice Bureau will bring much strength to the development of HealthWatch Manchester, a sound administrative structure with opportunities for the sharing of IT and back-office functions, a key role in local advice provision, a strong research capacity and a healthy volunteer

base. However, budget restrictions will require a realistic view of what HealthWatch Manchester will be able to deliver. The Manchester Citizens Advice Bureau will therefore need to be creative in making the best possible use of existing engagement networks and opportunities in partnership with Manchester's Third Sector community and existing Patient / Customer Engagement Groups.

- 2.11 The initial focus of Manchester Citizens Advice Bureau must be assimilation of staff subject to TUPE regulations and core statutory obligations in respect of the establishment of HealthWatch Manchester as an independent corporate body and the appointment of a formal statutory representative on this Board. This role must be underpinned by the establishment of core governance arrangements which reinforce the corporate independence of the organisation, its wider accountability to the wider public and its responsibility to represent their views in a carefully researched and evidence based manner. This will require the development of working protocols which will enable the voice of public and patient engagement to feed into strategic and day to day management functions that are increasingly focussed on driving Quality, Innovation, Productivity and Prevention, at a transformational and challenging pace.
- 2.12 A joint understanding of the health and social care challenges facing the City and a will to build consensus and work together are the likely pre-requisite's of success for HealthWatch Manchester. A key facet of this will be the composition of the future HealthWatch Manchester Management Board.
- 2.13 In a number of local authorities the role of Chair and a proportion of the Directors making up the Management Board have been appointed following a transparent skill-based recruitment procedure utilising job descriptions / skill profiles. Examples of best practice job descriptions / skill profiles have been made available to local authority commissioners via the Transition Alliance. In such instances, appointments have been made in partnership between the local HealthWatch and the local Health & Wellbeing Board, demonstrating a spirit of cooperation and mutual trust.
- 2.14 In other instances, the local HealthWatch has been given autonomy by the Health & Wellbeing Board to appoint its own Management Board, demonstrating the independence of the organisation, based on a commitment to ensure transparency in the selection processes. Details of the Management Board composition have then been shared with the Health & Wellbeing Board.
- 2.15 The Health & Wellbeing Boards views are sought in respect of what role it might wish to play in the establishment of the HealthWatch Manchester Management Board. The Health & Wellbeing Board are asked for their comments in respect of two options:
 - (a) Directly participating in an approach to selection of key personnel for the HealthWatch Manchester Management Board, in conjunction with the Manchester Citizens Advice Bureau.

- (b) Manchester Citizens Advice Bureau has autonomy to select the full composition of its own HealthWatch Manchester Management Board independent of the Health & Wellbeing Board.

3. Independent NHS Complaints Advocacy Service

- 3.1 The Board has previously been advised that a collaborative AGMA Project had commenced under the leadership of Manchester City Council in respect of an interim joint procurement approach to the provision of this service. This approach will enable the current NHS contracted provider, the Carers Federation to maintain the service over a twelve month period whilst future requirements are assessed and a competitive procurement process put in place.
- 3.2 Discussions with AGMA partner authorities are now well advanced across the nine participating Greater Manchester authorities along with Blackburn with Darwen Council to finalise the service specification. Stockport Council has opted out of the project.
- 3.3 A tender waiver has been secured enabling the framework agreement to be negotiated and agreed between Manchester Council and the Carers Federation. This agreement sufficiently evidences required price and quality requirements for a twelve month period commencing 1 April 2013 with the option in reserve of one twelve month extension. Participating authorities will call off agreed service volumes.
- 3.4. The price agreed provides substantial savings on the previous NHS contract and indicative additional funding allocations provided by the Department of Health. This has been achieved by removing inflexibilities in the previous contract and process improvements which through the development of Call Centre facilities, a Web Platform and Self-Help Information Packs will focus investment into support for self-advocacy, reserving more costly face to face advocacy for those who require more proactive support to get their views across.
- 3.5. The Project Steering Group is currently working with the provider in respect of the communications and marketing strategy which will ensure that NHS Managers and the Public are made aware of new arrangements. In practice given this interim approach there will be no disruption to current arrangements.
- 3.6. Preparations have been made with the Councils HROD service to facilitate the recruitment of a 12 month fixed term AGMA Review Officer role and this will be advertised in due course. This Officer, who will be based within Manchester City Council, will monitor the ICAS contract across all relevant local authority areas. They will also analyse and map the quality of all available complaints and advocacy services across Greater Manchester with a view to devising a regional strategy for further collaboration/efficiency in this area which is ultimately broader than just the ICAS service.

4. **Recommendations:**

- 4.1 That the Board notes the content of the report.
- 4.2 The Board considers the options for the selection and composition of the HealthWatch Manchester Management Board.