

Healthwatch Implementation Programme

Torbay Strategic Partnership Shadow Health and Wellbeing Board Meeting Thursday, 15 March 2012

1. What are we trying to achieve for our communities?

1.1 As reported in October 2011 we are trying to implement an effective local Healthwatch in Torbay that will provide the following functions:

- Influencing – helping to shape the planning of health and social services by:
 - representing local voices;
 - scrutinising the quality of service provision
 - having a seat on the local Health and Wellbeing Board
 - informing the commissioning decision-making process
 - providing local, evidence-based information
- Signposting – providing information to help people access and make choices about services by:
 - empowering people by helping them understand choice
- Advisory – advocating and holding to account by:
 - championing quality and supporting people on issues and concerns
 - requiring commissioners and providers of services to be under a duty to have 'due regard' to local Healthwatch's findings.

1.2 Since the discussions at the October 2011 Shadow Health and Wellbeing Board the Government has changed a number of factors related to the launch of Healthwatch nationally:

- The target date for an operational Local Healthwatch has changed from October 2012 to April 2013.
- The Local Involvement Network (LINKs) will continue to function until April 2013.
- Healthwatch England will now be established before the local Healthwatch.
- Local Healthwatch will take on the three functions outlined above simultaneously (previously the advocacy function was to be implemented 6 months later than the other two).
- While the advocacy function can be commissioned by the local authority from a different organisation than the one providing Healthwatch, it has now been determined that the public will still have to access this service through Healthwatch.
- Government has made it much clearer that it is possible to grant aid the Healthwatch funding to, for example, an existing LINKs providing evidence can be shown that they have a 'unique capacity' to deliver the Healthwatch function.
- It is up to the local area to determine if it wants to grant aid funding or if it wants to undertake a procurement process.
- On Thursday 1st March the Government tabled amendments to the Health and Social Care Bill relating to Healthwatch. The amendments really just

bought the Bill in line with the original intentions to have Healthwatch set up locally as body corporate with local ownership. The key requirements are that it is a separate legal entity, not for profit and capable of employing staff. How this is delivered can be determined locally, it could not if the current Bill were accepted without amendments⁽¹⁾.

- The Government is also now making available £3.2 million to local authorities in 2012/13 for start up costs for Healthwatch (specific allocations have not yet been announced but this is likely to provide a minimum of £10,000 for Torbay's Healthwatch).
- The Government also announced in January that it was providing £5,000 for each Healthwatch Pathfinder. As Torbay has Pathfinder status we have received this additional funding.
- A new unit in the Local Government Association (LGA) has been established to support the development of Local Healthwatch and is dealing with the questions and enquiries that are still outstanding.

1.3 There have also been some local changes, for example, the Clinical Commissioning Group boundary extended beyond Torbay to South Devon.

1.4 As a result of the above the timeline for establishing Torbay's Healthwatch has moved and activities to be undertaken during 2012/12 have changed. The Healthwatch Transition Stakeholder Group⁽²⁾ set up 2011 has continued to meet and has proposed the following.

1.4.1 In Torbay we will explore the possibility of providing the Healthwatch function through a grant aid process to the existing LINKs volunteers. We will, however, keep the option open to procure Healthwatch if we are unable to adequately determine criteria by which LINKs can be assessed as having an 'unique capacity' to deliver Healthwatch (North Somerset and others are also adopting this approach). The LGA have been asked to help determine the 'unique capacity' criteria. The decision to undertake a procurement process has to be made by the end of July 2012 and it is likely to be a full OJEU procurement.

1.4.2 The Transition Group have considered, but rejected, the possibility of delivering a joint Healthwatch across more than one Local Authority boundary. But there is strong commitment to ensure partnership working with neighbouring Local Healthwatches.

1.4.3 We will implement our Pathfinder project which will trial an appropriate model for Healthwatch in Torbay between April and June 2012. A potential model has been identified by the Transition Group and will be presented to stakeholders for comments and amendments at a meeting on the 22nd March 2012.

1.4.4 The outcomes of the Pathfinder trial period and the public consultation will determine the local element of our Healthwatch specification.

1 As currently drafted the Bill would create Healthwatch as a statutory corporate body. The government amendment is designed to ensure that local Healthwatch is a non-statutory corporate body (that is not created by the Bill). The key difference between a statutory and non-statutory corporate body is that the former is directly incorporated (so having its own legal personality) by an Act of Parliament and the latter is incorporated by registration under an Act of Parliament.

2 This group is chaired by Anne Mattock (the LINK representative on the Shadow Health and Wellbeing Board) and is made up of representatives from LINK, Help and Care, TCT, GP Clinical Commissioning Group, South Devon Healthcare NHS Trust, Care Quality Commission, Torbay Council (Members/Overview & Scrutiny/Supporting People/contract manager), Community and Voluntary Action Torbay, Carer's Evaluator, Citizen's Advice Bureau, Speak Out Torbay.

1.4.5 Torbay LINKs is proposing to set itself up as a body corporate this year. This will facilitate a grant aid process, but also ensure they can be part of a procurement process if it is determined as the appropriate way forward.

1.4.6 Torbay LINKs is also currently restructuring their operations to be able to work effectively within the new Health and Social Care environment, and with a view to the current (and new) volunteers taking on Healthwatch responsibilities going forward. (Please note regardless who is awarded the Healthwatch contract Government has made it very clear its activities must build on the existing LINKs – embedding their work and expanding on it). The existing contract with Help and Care, who are the host organisation for Torbay LINKs, has been extended to December 2012.

1.4.7 To summarise:

Timeline	Action
March 2012	Pathfinder stakeholder event Public Health and Wellbeing event
April-June 2012	Trial of Pathfinder model /Public consultation
(5 th) July 2012	Recommendations to Health and Wellbeing Board
(12 th) July 2012	Recommendations presented to Full Council
End July 2012	Decision made to grant aid or procure Healthwatch
August 2012	Tender/grant aid process starts
October 2012	Intention to award notice
January 2013	Contract starts
April 2013	Legal start date for Local Healthwatch

2. Relationship to Community Plan

2.1 Healthwatch will directly contribute to the overall vision of the Community Plan (2011-2013) of Healthy, Prosperous and Happy Communities.

2.2 Specifically the work of Healthwatch will enable appropriate services to be provided that enable residents to:

- Live in healthier communities and have happy, independent and healthy lives;
- Ensure every child and young person in Torbay lives in safety and good health, is well educated, enjoys their childhood and contributes positively to community life;
- Support families to care for their children.

3. Recommendation for decision

3.1 That the Shadow Health and Wellbeing Board support the development and procurement of Healthwatch Torbay as outlined above.

3.2 That the Health and Wellbeing Board consider the recommendations for the establishment of local Healthwatch in Torbay at their July 2012 meeting.

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