

## **Record of Decisions**

### **Joint Recommissioning of the Local Healthwatch Contract**

#### **Decision Taker**

Cabinet on 13 May 2025.

#### **Decision**

- (i) that the Director of Adults and Community Services be instructed to commence the procurement process in accordance with Contract Standing Orders and Procurement Policy;
- (ii) that the local Healthwatch organisation continues to be commissioned jointly with Devon, Plymouth, and Torbay under a joint contract with Devon County Council and Plymouth City Council; with Devon County Council being the Lead Commissioner; and
- (iii) that the Director of Adults and Community Services, in consultation with the Cabinet Member Adult and Community Services, Public Health, and Inequalities, be delegated authority to award the Healthwatch contract to the preferred bidder.

#### **Reason for the Decision**

The Health and Social Care Act 2012 requires every local authority in England with adult social care responsibility to have a local Healthwatch organisation in place, acting as a consumer voice for the health and social care system. Therefore, by law, Torbay Council must commission a suitable service.

#### **Implementation**

This decision will come into force and may be implemented on 23 May 2025 unless the call-in procedure is triggered (as set out in the Standing Orders in relation to Overview and Scrutiny).

#### **Information**

The Local Government and Public Involvement in Health Act 2007, as amended by the Health and Social Care Act 2012, mandated that local authorities commission local Healthwatch organisations. These organisations were designed to give citizens and communities a stronger voice to influence and challenge how health and social care services were provided in their area.

Since 2020 the local Healthwatch organisation had been jointly commissioned by Devon County Council, Plymouth City Council and Torbay Council; with Devon being the Lead Commissioner. This had enabled a single provider to support consumer voice activities which covered the whole Integrated Care System the three local authorities are part of.

This joint arrangement had enabled the local Healthwatch organisation to work more efficiently across the system and enabled local authorities to benefit from economies of scale which would not have been possible if each Council commissioned a separate consumer voice organisation.

At the meeting Councillor Tranter proposed and Councillor David Thomas seconded a motion which was agreed unanimously, as set out above.

### **Alternative Options considered and rejected at the time of the decision**

The options available for recommissioning in Devon were:

- i. to recommission jointly with Devon, Plymouth and Torbay Councils again (the status quo)
- ii. commission separate local Healthwatch organisations for Devon, Plymouth, and Torbay
- iii. to commission on a larger scale in collaboration with either Cornwall or Somerset.

The third option would mean that the consumer voice organisation would have to span more than one Integrated Care System, an unrealistic challenge in terms of governance or effective public profile. This option was therefore discounted.

The three local authorities considered whether to recommission their local Healthwatch organisation on an individual basis, as they did originally in 2013, or to continue with the joint arrangements which have been in place since 2020. This consideration took account of the forthcoming local government re-organisation facing the three local authorities and the ongoing development of the Integrated Care System for the area covered by Devon, Plymouth, and Torbay Councils.

Commissioners agreed that continuing to base the local Healthwatch organisation area on the Integrated Care System footprint was the most sustainable and strategically effective way forward. This was because all the proposed local authority boundary change options followed the Devon Integrated Care System area and did not change the boundaries with Cornwall or Somerset.

Commissioners also agreed that recommissioning local Healthwatch on a three-authority basis would enable them to maintain the economy of scale (around 8% savings on the nationally recommended funding level) achieved by having one rather than three organisations in place. The recommended option was therefore to jointly recommission the local Healthwatch organisation for Devon, Plymouth and Torbay, with a requirement that the provider was able to maintain a structure which covered the integrated care system regardless of the outcome of local government re-organisation and the resulting local authorities covering the system area.

### **Is this a Key Decision?**

No

### **Does the call-in procedure apply?**

Yes

**Declarations of interest** (including details of any relevant dispensations issued by the Standards Committee)

None

### **Published**

15 May 2025

Signed: \_\_\_\_\_ Date: \_\_\_\_\_  
Leader of Torbay Council on behalf of the Cabinet