

**REPORT OF THE DEPUTY LEADER, NOTTINGHAMSHIRE COUNTY COUNCIL****ESTABLISHING HEALTHWATCH NOTTINGHAMSHIRE: PROGRESS UPDATE****Purpose of the Report**

1. To provide a progress update in respect of the establishment of HealthWatch Nottinghamshire and the provision of an NHS complaints advocacy service for Nottinghamshire.

**Information and Advice**Background

2. At its meeting on 12 September 2012, Policy Committee considered a report advising of the requirement for, and intended approach to, establishing HealthWatch Nottinghamshire. Policy Committee will recall that under the Health & Social Care Act (2012) all local authorities with social care responsibilities are required to commission and contract manage a Local HealthWatch (LHW) for their areas. They are also required to commission an NHS complaints advocacy service which may be commissioned as part of, or separate from, Local HealthWatch but with a data sharing arrangement between the two in the case of the latter.
3. Local HealthWatch organisations are intended to be a '*local consumer champion for patients, service users and the public*,' strengthening the public and patient voice in the provision of publicly funded health and social care services. They will replace Local Involvement Networks (LINKs). Local HealthWatch organisations will be complemented at the national level by HealthWatch England, which was established in October 2012, as a committee of the Care Quality Commission.
4. The Act requires that Local Healthwatch organisations are corporate bodies and social enterprises (i.e. a not for profit companies) that '*operate for the benefit of, and are accountable principally to, their local communities*'
5. As was reported to Policy Committee in January 2013, the Invitation to Tender (ITT) for a provider to establish a HealthWatch Nottinghamshire company did not generate any tenders which met the required quality threshold, as assessed by a multi-agency evaluation panel. This meant that the ITT exercise had to be

abandoned. At that meeting, Policy Committee was asked to endorse contingency plans for establishing HealthWatch Nottinghamshire which involved:

- i. The direct appointment of Chair and Board of Directors
- ii. Commissioning a third party Implementer to undertake all aspects to establish the HealthWatch Nottinghamshire Company and support its initial work
- iii. Commissioning some specialist HealthWatch / Public Patient Involvement support to the Board of HealthWatch to ensure it is briefed and equipped to fulfil its role in this regard.

#### Progress in delivery of the HealthWatch Nottinghamshire Contingency Plan

6. In January 2013, NAVO was appointed as the third-party Implementer and was contracted to establish HealthWatch Nottinghamshire. In undertaking this work NAVO has been supported by Community Accounting Plus (CA Plus), a Nottinghamshire based organisation that supports the development and effective management of voluntary and community sector bodies.
7. Since its appointment as Implementer NAVO has made good progress. The HealthWatch Nottinghamshire (HWN) company was registered on 19 February 2013 as a Company Limited by Guarantee (CLG). It will be able to consider changes to its legal form (e.g. whether it becomes a Charity, Community Interest Company etc) during its first year. Logistical work around company operational set-up by 1 April 2013 has gone to plan and an office base has been secured at the Byron Business Centre, Hucknall. Transfer of Undertakings (Protection of Employment) TUPE arrangements between the Nottinghamshire Local Involvement Network host and HealthWatch Nottinghamshire have also progressed in line with legal requirements.
8. A recruitment exercise for company chairman and directors took place in January and February 2013. In order to seek a high calibre chairman, remuneration of up to £12,000 per year, for year one, with an anticipated time commitment of up to 3 days per week was offered. The independently chaired appointment panel appointed Joe Pidgeon as Chairman with three further directors being appointed subsequently. The Chairman's previous experience equips him well to provide strategic leadership to HealthWatch Nottinghamshire having formerly headed-up Nottingham and Nottinghamshire's complaints and statutory inspection service; worked on the development of personalisation and personal care budgets and undertaken work on joint planning and commissioning.
9. Aside from the Board, an Interim Chief Executive for HealthWatch Nottinghamshire has been appointed initially on a one day a week secondment basis from a local voluntary and community sector organisation. The HealthWatch Board will determine further staffing structures and recruitment timelines during the first quarter of the 2013/14 financial year.
10. A Board induction programme has been developed and is being delivered. The company held its first Board meeting on 1 March 2013, and has met regularly since that time in order to prepare for operational commencement on 1 April 2013.

The HealthWatch Chairman participated in a number of key events during February and March including the East Midlands HealthWatch Simulation event; the Nottinghamshire Local Involvement Network organised 'LINKing into HealthWatch' Conference; a conference on the role of the voluntary and community sector in supporting and delivering HealthWatch in Nottinghamshire and he also attended the March meeting of the Health and Wellbeing Board as observer prior to taking up a full seat from April onwards.

11. It was always envisaged, and accepted by key stakeholders, that HealthWatch Nottinghamshire would be developmental in its first year. It is a fledgling organisation and initial delivery expectations will need to mirror that. As part of its contract for delivery of HealthWatch services, the County Council has set the company a number of key delivery milestones including the early production of a first 3 month plan for 2013/14 and the production of a full work plan for the remainder of the year to be agreed before June 2013. Company performance will ultimately be measured against the service specification for HealthWatch Nottinghamshire which was developed following extensive stakeholder engagement during the Summer of 2012.
12. Policy Committee agreed in September 2012 that the available budget for HealthWatch Nottinghamshire would be a maximum £434,419 per annum, subject to funding being made available by the Government. That funding has now been confirmed and funding of £400,000 has been agreed with HealthWatch Nottinghamshire for the financial year 2013/14. As per the approach previously agreed by Policy Committee, residual monies will be held in contingency for HealthWatch and the NHS complaints advocacy service (see below).

#### Progress in the establishment of an NHS complaints advocacy service

13. Commissioning of an NHS complaints advocacy service for Nottinghamshire was unaffected by the abandonment of the HealthWatch ITT exercise as Policy Committee had previously agreed to a recommendation that it should be commissioned as part of a suite of the advocacy services delivered through the pre-existing Nottinghamshire and Nottingham Access to Advocacy contract. This service is delivered by POWhER which is a registered charity formed in 1996 to provide advocacy services and is one of the three national providers of the current Independent Complaints Advocacy Services (ICAS) under contract to the Department of Health.
14. The contract variation to add NHS complaints advocacy services to the Access to Advocacy contract has been signed and good progress has been made in service mobilisation and transitional arrangements from the current provider of ICAS services in the East Midlands. This has been helped by the fact that POWhER has also won the contract to provide the NHS complaints advocacy service for the East Midlands, contracting with Derby City Council on behalf of a consortium of East Midlands local authorities.
15. A meeting between POWhER and HealthWatch Nottinghamshire representatives took place in March 2013 to explore joint working and aligned communications.

## **Other Options Considered**

16. Under the Health and Social Care Act (2012) the County Council is required to commission an independent Local HealthWatch organisation and an NHS complaints advocacy service to be in place by 1 April 2013. Previous reports to Policy Committee have set out other options in respect of the approach to commissioning a Local HealthWatch organisation and an NHS complaints advocacy service. This report provides a progress update and arrangements for future reporting to Policy Committee and therefore no other options have been considered.

## **Reason/s for Recommendation/s**

17. To advise Policy Committee of progress in establishing HealthWatch Nottinghamshire and an NHS complaints advocacy service for the County and to set out arrangements for future performance reporting.

## **Statutory and Policy Implications**

18. This report has been compiled after consideration of implications in respect of finance, equal opportunities, human resources, crime and disorder, human rights, the safeguarding of children, sustainability and the environment and those using the service and where such implications are material they are described below.

## **RECOMMENDATION/S**

- 1) It is recommended that Policy Committee:
  - i. Note the contents of the report and the progress that has been made in establishing HealthWatch Nottinghamshire and an NHS complaints advocacy service for Nottingham and Nottinghamshire.
  - ii. Require that a further progress update on HealthWatch Nottinghamshire is brought to Policy Committee in November 2013 to be followed-up by the organisation's annual report on a yearly basis thereafter.

**County Councillor Martin Suthers**  
**Deputy Leader**  
**Nottinghamshire County Council**

**For any enquiries about this report please contact:**

**Caroline Agnew**  
**Programme Manager**  
**Tel: 0115 9773760**

**Constitutional Comments (SG 27/03/2013)**

19. The Committee is the appropriate body to consider the issues set out in this Report.

### **Financial Comments (RWK 28/03/2013)**

20. There are no additional financial implications arising from the report.

### **Background Papers**

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

The Health and Social Care Bill (2012) – HM Government  
Procuring HealthWatch Nottinghamshire - Policy Committee, September 2012  
Establishing HealthWatch Nottinghamshire: Progress Update – Policy Committee, January 2013

### **Electoral Division(s) and Member(s) Affected**

All