

Operational Decision Record

Publication Date 20/02/23	Decision Reference Number 4866
Decision Title	
Healthwatch Service	
Decision Value	
£108,000	
Revenue or Capital Spend?	
Revenue	
Department	
People	
Contact Officer (Name, job title, and contact details)	
Charlotte Dodds Job title: Commissioning Officer Email: Charlotte.Dodds@nottinghamcity.gov.uk Phone: 0115 876 4460	
Decision Taken	
Approve the expenditure of £108,000 to continue the Healthwatch service provided by Healthwatch Nottingham and Nottinghamshire for up to one year from the 1 April 2023.	
Reasons for Decision and Background Information	
<p>Reasons for Decision</p> <p>To support joint commissioning across the whole health and social care system in Nottingham City and Nottinghamshire County. A jointly commissioned Nottingham City Council and Nottinghamshire County Council Healthwatch service has clear benefits for citizens who do not recognise local authority boundaries and also achieves best value for money by enabling greater efficiencies and economies of scale in both budget and staff resourcing. Currently the two Councils have separate contracts to deliver their statutory Healthwatch functions with the County Council Healthwatch service due to end on the 31 March 2024. In order to jointly commission the Healthwatch service, we need to align the City and County contract end dates.</p> <p>Background information</p> <p>Healthwatch is a statutory body with responsibility for scrutinising health and social care services. Local authorities have a statutory duty (through the Health and Social Care Act 2012) to set up a local Healthwatch which must be structured so that it is</p>	

able to carry out the following statutory functions as set out in the Local Government and Public Involvement in Health Act 2007 (Section 221) :

- Community voice and influence
- Making a difference locally
- Informing people
- Working with Healthwatch England and the Care Quality Commission

Healthwatch England is able to scrutinise the local arrangements - if it is not satisfied that these arrangements are adequate it has the power in law to make recommendations regarding the local arrangements. Any failings of the Local Authority to properly constitute and fund a local Healthwatch to carry out its statutory responsibilities may leave the Local Authority open to a Judicial Review.

There were previously two separate Healthwatch organisations that delivered the above statutory functions for Nottingham City and Nottinghamshire County Councils. In April 2018 it was agreed to merge the two organisations into a single organisation called 'Healthwatch Nottingham and Nottinghamshire' covering the City and County, with plans develop a joint approach to commissioning the Healthwatch service in the future. This approach of having a single organisation deliver Healthwatch in the City and County meant that Nottingham City and Nottinghamshire County Council were each able to reduce the funding allocated to deliver their Healthwatch statutory functions, which supported achieving best value.

Current Position

Although a single organisation provides Healthwatch services for both Nottingham City and Nottinghamshire Councils, each Council still has a separate contract for service delivery. Nottinghamshire County Council's contract with Healthwatch ends on the 31 March 2024. Nottingham City Council's contract with Healthwatch is due to end on the 31 March 2023.

Future Delivery

There remains a commitment to jointly commission a Healthwatch service across both City and County from April 2024. Approval to extend Nottingham City's existing Healthwatch contract for 12-months would align the end dates and enable commissioners to re-commission a joint City and County Healthwatch service with an expected service commencement date of 1 April 2024. This work has now started and is in its early stages. Part of this work should include a new understanding of levels of investment by other comparable local authorities.

Other Options Considered and why these were rejected

- Option 1) Complete a full procurement exercise for a new Nottingham City Healthwatch service to commence on 1 April 2023. Consideration was given to continuing to commission a Nottingham City only Healthwatch service, however the benefits for citizens and efficiencies that come from having a joint contract with Nottinghamshire County would be lost.
- Option 2) Do nothing. Allow the Healthwatch contract to terminate on the end date of 31 March 2023 without continuing the contract or completing a procurement exercise to secure a new service. The local authority has a

statutory duty to provide a local Healthwatch to carry out statutory functions, this statutory duty would be unfulfilled. Therefore, this option is not recommended.

Reasons why this decision is classified as operational

- The decision has a total value under £250,000
- The proposed expenditure is within existing adult social care policies and does not commit the Council to any new activities. A joint commissioning review of this provision with Nottinghamshire County Council will inform future decisions about the ongoing best value approach to delivery Healthwatch.

Additional Information

Procurement and Legal Advice

Discussions with Procurement have identified that an extension to the contract in the city for a 12-month period is permissible under the Procurement Regulation 72(b) of the Public Contract Regulations. Legal have confirmed with procurement that they do not need to be involved in this decision. An Operation Executive Decision Form must be completed to enable this to happen. Once this form is signed off, the Contacts Team will be able to offer a contract variation to action the extension.

Finance Advice

Finance have confirmed that there is provision in the budget for 2023-2024 for the service to continue to be funded at the current rate of £108,000 per financial year.

EIA, DPIA, CIA or a **consultation exercise** are not required as no changes to the service are intended or desired.

Decision Maker (Name and Job Title)

Catherine Underwood
Corporate Director for People

17/2/2023



Scheme of Delegation Reference Number
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Date Decision Taken

17/02/23
