

Nottingham City Council Delegated Decision



Nottingham
City Council

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| Reference Number: | 2805 |
| Author: | Rasool Bibi Gore |
| Department: | Children and Families |
| Contact: | Rasool Bibi Gore (Job Title: Lead Commissioning Manager, Email: rasool.gore@nottinghamcity.gov.uk, Phone: 01158762299) |
| Subject: | Extension of Healthwatch |
| Total Value: | £160,000 (Type: Revenue) |
| Decision Being Taken: | To approve: - Dispensation from Contract Procedure Rule 5.1.2 in accordance with Financial Regulation (3.29) to allow for a direct award contract to the Healthwatch Board for 12 months. - Approve spend of £160,000 associated with this decision to the Nottingham City Healthwatch Board. |
| Reasons for the Decision(s) | <p>The City Council has a statutory responsibility to set up a Healthwatch which is made up of a volunteer board that is supported by paid officers to scrutinise health and social care services. The aim of the Healthwatch officers will be to support the Healthwatch Board to champion the local community voice of all citizens, service users and carers of health and adult social care services. The money allocated will be used by the Board to pay for running and staffing costs.</p> <p>The Healthwatch Board is made up of volunteers who are experienced citizens in the health and or social care sectors. Under the Health and Social Care Act 2012 Healthwatch needs to be an independent corporate body. It must also be independent from the City Council, NHS Nottingham City Care and NHS City Clinical Commissioning Group. This is to ensure that it can scrutinise and hold to account services being delivered by these organisations without its powers being fettered.</p> <p>During the financial year 2017-18 the aim is for commissioners to explore alternative models of Healthwatch which could lead to greater efficiencies without compromising the statutory role of Healthwatch.</p> |
| Other Options Considered: | <p>Not to have a Healthwatch: this was discounted as the Local Authority would be statutorily non-compliant</p> <p>To go out to tender: this has been discounted due to the short length of the contract and the specialised nature of the work. A tender would not be able to put a new service in place in time and this is likely to be a limited market.</p> |

Background Papers: **Not applicable**

Published Works: **Not applicable**

Affected Wards: **Citywide**

Colleague / Councillor Interests: **Not applicable**

Dispensation from Financial Regulations: **Yes**

Consultations: **Those not consulted are not directly affected by the decision.**

Crime and Disorder Implications: **None.**

Equality: **EIA not required. Reasons: No change to service or funding.**

Social Value Considerations: **Not applicable**

Decision Type: **Portfolio Holder**

Subject to Call In: **Yes**

Call In Expiry date: **13/04/2017**

Advice Sought: **Legal, Finance, Procurement**

Legal Advice: **This report does not raise any significant legal issues. The City Council has a statutory duty to secure the arrangements with its local Healthwatch to operate effectively and represent value for money. To fulfill its statutory duties the City Council should satisfy itself that the Healthwatch has sufficient funding and resources to be able to undertake the required activities. It is understood that the City Council has been in discussions with Healthwatch and has agreed the level of funding authorised by this report, and that it will be sufficient for it to carry out its functions. Advice provided by Andrew James (Team Leader Contracts and Commercial) on 09/02/2017.**

Finance Advice:

Local Healthwatch (LHW) organisations have been established since 1st April 2013 as required by the Health and Social Care Act 2012 and it is a statutory requirement that local authorities with social care responsibilities commission a LHW. The service is funded through a mix of Local Reform & Community Voices Grant (£107,904) and funding included within the Council's Medium Term Financial Plan (MTFP)(£52,096) making a total allocation of £160,000. An element of the Local Reform & Community Voices Grant is allocated specifically for this purpose, however to date confirmation of 2017/18 funding from the Department of Health is still outstanding. Should the final grant allocation be lower than the value mentioned above, alternative funding will need to be identified to meet the cost of this statutory service. This will be subject to further appropriate approval.

This decision requires dispensation from Contract Procedure Rules (5.1.2) in accordance with Financial Regulations 3.29, and considering the reasons detailed by the report author, is deemed appropriate in these circumstances. Alternative models of Healthwatch will be explored by commissioners during 2017/18 to ensure value for money continues to be delivered. Advice provided by Darren Revill (Senior Commercial Business Partner) on 27/02/2017.

Procurement Advice:

The City Council has a statutory responsibility to set up a Healthwatch. Procurement have been involved in discussions around the options for this decision and are satisfied with this solution. The expenditure for a direct award of contract to fund Healthwatch for 17/18 is below the threshold for the Light Touch Regime under the EU Procurement Regulations (and UK Public Contract Regulations 2015) and there are no procurement concerns in relation to this decision. Advice provided by Nicola Harrison (Procurement Lead Officer) on 05/01/2017.

Signatures

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| Alex Norris (Portfolio Holder for Adults and Health) |
| SIGNED and Dated: 05/04/2017 |
| Helen Jones (Director for Adult Social Services (DASS)) |
| SIGNED and Dated: 05/04/2017 |
| Geoff Walker (Strategic Director Finance/CFO) - Dispensation from Financial Regulations |
| SIGNED and Dated: 22/03/2017 |
| Chief Finance Officer's Comments: due to operational reasons contained within the report |