

Central Bedfordshire Council

EXECUTIVE

7 February 2017

Approval to Continue to Fund Healthwatch Central Bedfordshire from 1 April 2017 to 31 March 2021

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This report relates to a key issue

Purpose of this report

1. To approve a commitment to continue to fund Healthwatch Central Bedfordshire for the next 3 years as the total sum for the period exceeds £200,000 and requires Executive approval.

RECOMMENDATIONS

The Executive is asked to:

1. **approve the funding of Healthwatch Central Bedfordshire for a further period of 3 years from 1 April 2017 to 31 March 2021.**

Overview and Scrutiny Comments/Recommendations

2. This item is not required to go to Overview and Scrutiny Committee as it is a decision of the Executive.

Issues

3. The Council has a duty under the Health and Social Care Act 2012 to commission a local Healthwatch organisation and ensure that this organisation is a corporate body carrying out statutory functions, is not for profit and able to employ staff and sub - contract statutory functions if appropriate.

4. The Executive on 5 February 2013 formally agreed to fund a Healthwatch organisation for Central Bedfordshire and to take ongoing responsibility for monitoring its effectiveness. Minute E/12/130 resolved that a local Healthwatch be established as a legal entity through the set up of a corporate body in the form of a company limited by guarantee with charity status. It also resolved that the Council will fund Healthwatch by means of a service level agreement to provide the statutory function. The development of the SLA and ongoing monitoring was delegated to the Director of Social Care, Health and Housing.
5. In April 2013 Healthwatch Central Bedfordshire was established and has been in place since; it is accountable to the Council as the commissioning authority and to the Health and Wellbeing Board and Healthwatch England through the publication of its annual report. This is the case with other Healthwatch organisations that were established across the country.
6. The council, through adult social care, receives regular reports and monitors performance quarterly against the service level agreement (SLA) and has the right to terminate the SLA and go to market to find an alternative provider in the event of continued and irretrievable service failure.
7. The performance of Healthwatch Central Bedfordshire (CB) has been regularly monitored since its formation and has been satisfactory.

Reason/s for decision

8. On the basis that Healthwatch CB has performed satisfactorily against the SLA since 2013 it is proposed that funding continues and that the SLA is reviewed and updated to reflect current and future priorities.

Council Priorities

9. Healthwatch CB as a consumer champion for people using local health and social care services, making views and experiences known to Healthwatch England and in carrying out special reviews to shape and influence health and social care services provided, contributes to the council priority of protecting the vulnerable; improving wellbeing.

Legal Implications

10. The Council has a statutory duty under the Health and Social Care Act 2012 to commission a local Healthwatch to carry statutory functions; Healthwatch CB meets this statutory duty and has performed satisfactorily. The proposal is to enter into a further agreement with Healthwatch CB, given that these services are subject to the light touch regime under the Public Contract Regulations 2015 and the total value is below the relevant threshold (£589,148) there is no legal requirement under the Regulations to go out to tender.

11. However, the Councils Contract Procurement rules apply and approval of the recommendation will also act as a waiver of the rules which require competition for requirements from £2,000.

Financial and Risk Implications

12. The annual sum of £140,000 has been in base budget since 2013, this was subject to an inflationary uplift of 3% in 2016/17. There is ongoing budget provision within the MTFP to cover this statutory duty for the next 3 years.

Equalities Implications

13. Public authorities have a statutory duty to advance equality of opportunity, eliminate unlawful discrimination, harassment and victimisation and foster good relations in respect of nine protected characteristics; age disability, gender re-assignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. National research demonstrates that health experiences can vary across a range of protected characteristics.
14. An Equalities Impact Assessment was undertaken as part of the original SLA specification and equality and diversity requirements are well documented in the SLA to ensure that the service is culturally sensitive and appropriate to meet the diverse needs of service users and flexible enough to meet the requirements of different people. There is also specific focus on improving and widening accessibility, especially for hard to reach groups, through the use of a range of accessible routes including social media, internet, telephone and face-to-face mechanisms.

Implications for Work Programming

15. An annual report is presented to the Health and Wellbeing Board and an item will be included in the programme for Autumn/Winter 2017.

Conclusion and next Steps

16. Healthwatch Central Bedfordshire has continued to undertake the statutory functions required of it satisfactorily since 2013 in line with SLA and as such entering into a further agreement for the next 3 years is considered appropriate. The next steps pending the decision by Executive will be to confirm the decision with Healthwatch CB and review and update the SLA to address local priorities.

Appendices – None

Background Papers - None