

Cheshire East Council

Cabinet

Date of Meeting:	5 th December 2017
Report of:	Mark Palethorpe: Acting Executive Director of People
Subject/Title:	Partnership Agreement with Cheshire West and Chester Council for the delivery of Healthwatch Cheshire
Portfolio Holder:	Cllr Janet Clowes, Adult Social Care and Integration

1. Report Summary

- 1.1.** Cabinet gave approval in July 2016 for the Council to jointly recommission Healthwatch in partnership with Cheshire West and Chester Council. Since that approval a new service has been procured and commenced on 1st April 2017. The inclusion of the Independent Health Complaints Service (ICAS) service means that the financial value of the partnership agreement is now £503,477. This report is to seek Cabinet endorsement, for the signing of a partnership arrangement which delivers the statutory requirements of a Local Healthwatch and Independent Health Complaints Service (ICAS) service across the footprint of both local authorities. This Partnership Agreement is between two partners; Cheshire East Council and Cheshire West and Chester Borough Council.
- 1.2.** The contract was awarded to Healthwatch Cheshire West, who have been delivering the Local Healthwatch service in Cheshire West and Chester since its inception on 1st April 2013. Upon award their company name was changed to Healthwatch Cheshire operating as Healthwatch Cheshire West and Healthwatch Cheshire East. This was to maintain the independence and focus on delivery across both local authorities and in line with Healthwatch England guidelines. The arrangement provides an efficient and cost effective centralised service for the two local authorities. The independent health complaints advocacy service previously delivered through a separate sub-regional contracting arrangement was also ended and this service incorporated in the new Healthwatch contract which goes along with service recommendations from Healthwatch England.
- 1.3.** The partnership agreement will be for an initial 3 years until 31st March 2020, with the option to extend for a further two 12 month periods. The contract is between Cheshire West and Chester Council and Healthwatch Cheshire. The partnership agreement formalises the expectations on both local authorities in the delivery of the service.

1.4. The service has 2 distinct elements:

The delivery of a **local Healthwatch service** - The primary purpose of the Healthwatch service is to act as an independent champion and voice for residents in order to help monitor and shape local health and social care services. This is achieved by actively gathering the opinions and experiences of local people in using these services and producing valuable and timely feedback for the NHS and local authority service commissioners. The information can then be used to influence the delivery and design of local health and social care services.

The delivery of a local **Independent Complaints Advocacy Service (ICAS)** - The purpose of the Independent Complaints Advocacy Service (ICAS) is to provide support to individuals to access information and independent advocacy if they need help to complain about NHS services. The service will support residents with a complaint or grievance related to any aspect of healthcare as described in the Health and Social Care Act 2012 including that which falls under the jurisdiction of the Health Service Ombudsman, such as complaints about poor treatment or service provided through the NHS in England.

1.5. The Key attributes to these services in delivering community engagement, advice and information are:

- **Independence** - a free-standing body which is respected for its independence and trusted by residents and stakeholders alike.
- **Clearly recognised** – a body with a clear identity and prominent visibility which is strong and distinctive from existing local organisations. It will embrace and utilise the Local Healthwatch (LHW) brand developed at national level.
- **User-focused** – relentlessly championing the voice of the user in the health and social care system
- **Inclusive** – an organisation which finds ways to work with the many different patient and service user representative groups across the very diverse populations with significant health inequalities in Cheshire.
- **Communication Skills** – experienced in understanding local communities, communicating with residents, service users, professionals, lay groups and service providers. This should include a proven capability to reach out to under-represented and disadvantaged groups in a diverse and multi-cultural community.
- **Well-connected** – able to signpost people to good quality information to help them make choices about health and social care; with access to established networks to gather comprehensive patient views.

- **Evidence based** – a body which uses evidence to underpin its priorities, target its efforts and inform the commissioning of services.
- **Technically competent** – an organisation that can demonstrate the relevant skills and competencies required to deliver its functions, including a good knowledge and understanding of current health and social care systems.
- **Influential** – able to make an impact on the local commissioning of health and social care to both adults and children; complement other inspection regimes; and support patients and residents with signposting to information about the quality of local health services.
- **Flexible** – an organisation which can work in partnership with key decision-makers (including the two Local Authorities, Clinical Commissioning Groups, and other bodies at strategic level) whilst still being able to listen to individual concerns, .
- **Being an advocate** -
 - both by representing the views of citizens and communities effectively, challenging decision making bodies where necessary (including making an active contribution to the local Health and Wellbeing Boards) and more specifically for individuals requiring NHS complaints advocacy.
 - **Striving to improve standards** across all health and adult social care services, including undertaking enter and view visits as required by either Local Authority.
 - **Self-aware** – an organisation which actively seeks feedback on its own performance and critically assesses its strengths and weaknesses.
 - **Accountable** – working to a clear set of standards against which the Local Authorities and the residents they serve can appreciate its success.
 - **Good value for money** – an organisation that makes the best use of its resources by seeking to avoid duplication with other bodies in Cheshire and working creatively with them to deliver the most cost effective solutions to achieve its chosen priorities.

2. Recommendation

That Cabinet:

- 2.1. Notes the information contained within this paper for the delivery of an integrated Healthwatch and Independent Complaints Advocacy Service.
- 2.2. Approves entering into a Partnership Agreement with Cheshire West and Chester Council for the delivery of the local Healthwatch Cheshire and Healthwatch Cheshire East and ICAS services.

- 2.3. Delegates authority to: (a) the Director of Commissioning (in consultation with the Portfolio Holder for Adult Social Care and Integration), to approve the final form of the Partnership Agreement (and any subsequent amendments thereto).

3. Reasons for Recommendations

- 3.1 The new jointly commissioned Healthwatch Cheshire delivered through this Partnership Agreement allows for greater economies of scale and was approved at Cabinet on 12th July 2016.

4. Other Options Considered

- 4.1 Healthwatch and ICAS are statutory services underpinned by the Health and Social Care Act 2012. This means the option of not doing anything is not possible. The proposal is to enter into a Partnership Agreement with Cheshire West and Chester Council through an agreed joint commissioning process.

5. Background/Chronology

- 5.1. The previously commissioned services were:

- Healthwatch Cheshire East managed through CVS Cheshire East, from 1st April 2013 until 31st March 2017.
- The Independent Health Complaints Service (ICAS) was a sub regional arrangement between 8 other local authorities commissioned by Liverpool City Council from 1st April 2015 until 31st March 2017.

6. Wards Affected and Local Ward Members

- 6.1. The Partnership Agreement will affect all wards and, as a result, all local ward members.

7. Risk Management & Implications of Recommendation

7.1. Policy Implications

7.1.1 Healthwatch and ICAS are statutory services underpinned by the Health and Social Care Act 2012. This Partnership Agreement delivers the Council's ambitions in relation to integrated working and joint commissioning. Healthwatch Cheshire underpins Cheshire East Live Well Cheshire East Commissioning Plan, Live Well for Longer Outcome 5, Carers Strategy and Connecting Communities Strategy.

7.2. Legal Implications

Healthwatch and ICAS are statutory services underpinned by the Health and Social Care Act 2012.

7.2.1 The intention of this Partnership Agreement is to establish the obligations of the parties in relation to the provision of an integrated Healthwatch and Independent Health Complaints Service (ICAS) in partnership with Cheshire West and Chester Council. It confirms the funding contributions and the responsibilities of each party in delivery of this service.

7.2.2 Section E of the Council's Financial Procedure Rules set out requirements and approval routes for Partnerships and Jointly Funded Projects, such as this. The Council's current contribution to the budget for this service is £503,477 for the five years from 1st April 2017, and therefore in accordance with Rule E.18, Cabinet approval is required to enter any agreement for the jointly funded project, in this case the Partnership Agreement.

7.3 Financial Implications

7.3.1 None as this is agreement to enter into a Partnership arrangement. The Council's current contribution to the budget for this service is £503,477 for the three years (plus options to extend for 2 years) from 1st April 2017

7.4 Equality Implications

7.4.1 Healthwatch Cheshire will have 'significant statutory powers to ensure the voice of the people accessing services is strengthened and heard by those who commission, deliver and regulate health and care, as detailed in the Healthwatch England Statutory Guidance.

7.4.2 Healthwatch Cheshire will be inclusive and reflect the diversity of the communities it serves as well as reaching communities that might otherwise be under-represented.

7.4.3 Healthwatch Cheshire will work with a range of care provider organisations including the voluntary, community, faith sector and commissioners to ensure new innovative ways are put in place to reach out to people most at risk including people who lack capacity.

7.4.4 Therefore, the Local Authority is clearly also discharging its Public Sector Equality Duty in proposing the partnership working above.

7.5 Rural Implications

7.5.1 None

7.6 Human Resources Implications

7.6.1 None

7.7 Health and Wellbeing Implications

Ensure quality of health and care will improve health and wellbeing of individuals and their families.

7.8 Implications for Children and Young People

7.8.1 None

7.9 Overview and Scrutiny Committee Implications

7.9.1 None

7.10 Other Implications

7.10.1 None

8.0 Risk Management

8.1 None

9.0 Access to Information

9.1 Outcomes Service Specification

9.2 National Healthwatch England Guidance Tools

10.0 Contact Information

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